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## House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. THORNBERRY).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
February 29, 2016.

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

PAUL D. RYAN,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

### WE MUST UPDATE OUR WATER INFRASTRUCTURE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, every day we are reminded by current events of how essential water and sanitation are to our very existence, whether it is Flint, Michigan, droughts in California, or the challenges of safe drinking water and sanitation for underdeveloped countries. This dominates the news and is at the root of an increasing number of conflicts, which will become only more serious.

Water policy is one of the most critical areas that this Congress ought to be able to address on a bipartisan basis. The facts are stark, opportunities vivid, and public support is strong.

That is why I have spent a great deal of time focusing on issues of water and sanitation since I first came to Congress. Legislation for international water and sanitation is critical not just for humanitarian reasons, but to protect the environment. It helps avoid conflict within societies and between nations because of water scarcity or shared river basins.

I have worked on legislation reforming flood insurance, rewriting the Corps of Engineers' outdated principles and guidelines that should inform their practices on water infrastructure and environmental management, and I have worked for a decade on the creation of a water trust fund. Unlike surface transportation, which has a highway trust fund and a source of revenue, the Federal Government has no similar mechanism for water and sanitation.

The status of our water infrastructure is appalling and getting worse, while support from the Federal Government has been in decline. In fact, there has been a slow, steady retreat on water infrastructure spending since the Carter administration.

The American Society of Civil Engineers has rated our water infrastructure a D. We have almost 170,000 drinking water systems around the country. While the useful life of pipes can be sometimes up to 100 years, we have facilities that date back to the 1800s.

A water main breaks every 2 minutes. The American Water Works Association anticipates the need of a trillion dollars, over the next 25 years, to replace the most critical of more than a million miles of pipe, while congressional appropriations have declined to less than \$1.5 billion a year, a tiny fraction of our needs.

The total mileage of sewer mains in the United States is unknown, but it is

probably between 700,000 and 800,000 miles. Many of these pipes were installed right after World War II and are approaching the end of their useful life. The sewer systems with aging pipes and inadequate capacity mean almost a trillion gallons of untreated sewage each year that is discharged into our waterways.

The total needs over the next 20 years for both sewer and water are almost beyond our comprehension, but the current spending, it is clear, is completely inadequate. The public and the scientists are finding more problems, which will argue for even higher standards.

That is why I have developed bipartisan legislation for the creation of a water trust fund. I have been working on this for years with different bipartisan partners. Given that there appears to be little appetite now in Congress for any tax or fee increase, I have adjusted the bill so that the revenue comes from voluntary participation by companies that have a keen interest in clean drinking water and adequate sanitation—indeed, their very business depends on it.

They would be able, for a tiny fee, to voluntarily identify as being supportive of the water trust fund. A little seal of approval would raise several billion dollars a year. This could be used to deal with the problems of low-income ratepayers that make it hard for overall rates to be increased and to leverage more investment at a time of remarkably low costs of borrowing. We could have significant investment to deal with some of our greatest problems.

This is by no means the entire answer to the looming crisis, but we shouldn't wait for the next Flint or the problems in drought-stricken California or some other municipal breakdown. We should start now.

I urge people to cosponsor my bipartisan water trust fund legislation, H.R. 4468. Let's get started.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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## OPIOID AND HEROIN ABUSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, on December 22, 2015, Zachary Paul-Allen Greenough, a veteran of the U.S. Army, lost his life to an accidental overdose of heroin in the city of West Haven, Connecticut.

The press accounts after his death, unfortunately, tell a story that is far too common in this country. During the time that he served in the Army, he suffered an injury, which caused great pain and resulted in the prescription of painkillers. That pathway started, which led to an opioid addiction and, unfortunately, him losing his life on December 22 to an overdose of heroin.

The Centers for Disease Control tells us that, in 2014, 27,000 Americans suffered accidental overdose deaths across the country, a drastic increase from 2013. This trend is happening again all across the country.

In the State of Connecticut, the Office of the Chief Medical Examiner reported its statistics for 2015, which showed that 723 individuals lost their life, including Mr. Greenough, to overdoses of heroin and opioids. Again, this is a trend line which shows that it was a 20 percent increase from the year before.

We are in the midst right now of a problem that is sweeping across the country, that is affecting States that are Republican and Democrat, blue and red, and we as a Nation need to get all hands on deck and come to grips with it.

President Obama, in his budget that he submitted a few weeks ago, made a promising start. He proposed \$1.1 billion in new funding to law enforcement, to folks who are involved in treatment, whether it is detox centers or treatment programs, or whether it is programs for education and prevention; because we know, from talking to people in the field, you need to get early and quickly to young people to make sure that they understand that this pathway, which has exploded across the country, is something that people need to know about and to avoid.

In New London, Connecticut, over the course of 2 days in February, we had a summit involving law enforcement, healthcare providers, and others. We had the Director of the Office of National Drug Control Policy from the White House, Michael Botticelli, come in. Again, the good news is that there is a lot of good work that is being done at the local level—not just in New London County, Connecticut, but all across the country—where people understand that this is a problem that requires everyone working together in all those factions and all those sectors.

But the fact of the matter is that President Obama's proposal is not until 2017. We need help now. We need to get

an emergency appropriation, just as we would if there were a hurricane or an earthquake or a wildfire that was sweeping across different regions of this country.

We need to understand that emergency appropriations for our military, which the Speaker and I will be voting on together in the Committee on Armed Services, that this problem which is affecting thousands of families and resulting in fatalities for people, again, who follow a pathway that, through legally prescribed medications, needs to be addressed, and we need to get those resources out to people as soon as possible.

I have a bill in the House that tracks a bill sponsored by Senator SHAHEEN in New Hampshire, another State that has been hit hard by the problem. The bill provides \$600 million of emergency assistance—again allocated to police, providers, education, and prevention—and this week they will begin consideration in the U.S. Senate. It has been endorsed by law enforcement groups. It has been endorsed by people who are in the field dealing with this problem, who are dealing with families who can't get beds in detox centers, who can't get beds in treatment facilities, with police departments that are trying to get Narcan, a miracle drug, so that they can save lives. But the fact of the matter is we need everybody involved, particularly the Congress, to help communities solve this problem.

Last week the National Governors Association—Republicans and Democrats—convened in Washington, D.C., to talk about their priorities. This emergency funding was their number one request to Congress because they are the ones on the front lines who are being confronted and forced to deal with this issue.

We have an opportunity to listen to the people who know what they are talking about, to just drain away the politics and the partisanship and understand that veterans, people living in rural communities, people living in suburban communities, people living in urban areas of our country are getting hit with this problem. Just like any other disaster, we as a Nation need to come together to address it now and not wait for 2017—now—to pass this measure.

We can do more in terms of reforming the protocols, as the VA and DOD and the civilian healthcare sector, frankly, have gone too far in terms of overprescribing. We can do more about the disposal of drugs. Walgreens, to their credit, has set up disposal sites all across the country where people can come in with excess opioids to get rid of them safely.

The fact of the matter is that the willingness is there but the resources are not to deal with a problem of this magnitude. Let's pass the Shaheen-Courtney measure. Let's get emergency funding to the folks who need that help and who are ready. They are on standby. They are there to help

those families and those individuals who need the help that we, as Americans, should come together and support.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 11 minutes p.m.), the House stood in recess.

□ 1400

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska) at 2 p.m.

## PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Merciful Lord, we give You thanks for giving us another day.

At the beginning of a new workweek, we use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done. May they be led by Your Holy spirit in the decisions they make.

May their faith in You deliver them from tensions that might tear the House apart and from worries that might wear them out.

All this day and through the week, may they do their best to find solutions to pressing issues facing our Nation. Please hasten the day when justice and love shall dwell in the hearts of all peoples and rule the affairs of the nations of Earth.

May all that is done this day be for Your greater honor and glory. Amen.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## SOUTH CAROLINA RECOGNIZED AS A TOP EXPORTER

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful today to recognize the State of South Carolina being named by Foreign Direct Investment magazine for its superior achievement in foreign direct investment.

South Carolina was identified for leading the Nation in foreign direct investment and also being the top State for expansion. The probusiness climate, superior workforce being trained by technical colleges, and quality of life make South Carolina the natural choice for any business looking to locate or expand, creating jobs, as done by Dr. Susan Windsor of Aiken Technical College.

In 2015, South Carolina was also recognized for their record-breaking total export sales. It was the top Southeastern State.

For the second consecutive year, the State was the top exporter in America for cars and tires. It is home to BMW, Volvo, Michelin, Bridgestone, Boeing, and more. Many of these businesses are located in the Second District, and I am honored to serve them in Congress.

I appreciate Governor Nikki Haley, Secretary of Commerce Bobby Hitt, along with the State legislative leaders, Senate President Hugh Leatherman and Speaker Jay Lucas, and the State's Chamber of Commerce and economic development organizations, who work tirelessly to create job opportunities.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:45 p.m. today.

Accordingly (at 2 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1545

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JENKINS of West Virginia) at 3 o'clock and 45 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### MODERNIZATION OF TERMS RELATING TO MINORITIES

Mr. WHITFIELD. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 4238) to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4238

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. MODERNIZATION OF TERMS RELATING TO MINORITIES.

(a) OFFICE OF MINORITY ECONOMIC IMPACT.—Section 211(f)(1) of the Department of Energy Organization Act (42 U.S.C. 7141(f)(1)) is amended by striking “a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent” and inserting “Asian American, Native Hawaiian, a Pacific Islander, African American, Hispanic, Puerto Rican, Native American, or an Alaska Native”.

(b) MINORITY BUSINESS ENTERPRISES.—Section 106(f)(2) of the Local Public Works Capital Development and Investment Act of 1976 (42 U.S.C. 6705(f)(2)) is amended by striking “Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts” and inserting “Asian American, Native Hawaiian, Pacific Islanders, African American, Hispanic, Native American, or Alaska Natives”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from Illinois (Mr. RUSH) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

#### GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WHITFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to consider H.R. 4238, a bill to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms in the original legislation relating to minorities.

This bill replaces offensive terms relating to minorities found in decades-old energy legislation. I want to thank GRACE MENG for being the lead on this commonsense piece of legislation.

I reserve the balance of my time.

Mr. RUSH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to commend my colleague from the great State of New York (Ms. MENG) for her work in bringing forth H.R. 4238, a bill to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities.

Mr. Speaker, this commonsense bill received unanimous bipartisan support

when it came before both the Energy and Power Subcommittee, on which I serve as the ranking member, and when it came before the full Energy and Commerce Committee.

Mr. Speaker, words matter. This bill strikes outdated, offensive terms related to minorities out of the Federal statute that can be found in the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976.

Mr. Speaker, this is a straightforward bill that helps bring these statutes up to modern times and into the 21st century, at least as far as getting rid of these offensive terms is concerned.

Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. MENG).

Ms. MENG. Mr. Speaker, I am very pleased that H.R. 4238 has made it to the House floor today.

As you know, this bill will strike the term “Oriental” from Federal law in the last two places it is used to refer to a person. This legislation is long overdue, and I am thankful for your consideration and, I hope, passage of it.

I would like to thank my colleague and friend, Representative ED ROYCE, for being an original author of this bill with me, as well as every member of the Congressional Asian Pacific American Caucus.

I would also like to thank Representative BUTTERFIELD and Representative SÁNCHEZ, chairs of the Congressional Black Caucus and Congressional Hispanic Caucus, respectively, for cosponsoring this legislation.

I would also like to personally thank Chairman UPTON and Ranking Member PALLONE for shepherding this legislation through the Energy and Commerce Committee, as well as Representatives WHITFIELD and RUSH, who moved it through the Energy and Power Subcommittee.

We are all aware that there are chapters of American history that are not perfect. This very body, for example, once found it appropriate to pass laws such as the Chinese Exclusion Act and the Geary Act. But we also found it appropriate to repeal them. Times change, what is acceptable changes, and this Congress more often than not yields to that change.

Toward that end, the time has come to repeal certain terms from Federal law that many in the Asian American community would find offensive. In the same way I would not want either of my children to be referred to as “Orientals” by their teachers at school, I hope we can agree that such terms no longer deserve a place in Federal law.

Again, Mr. Speaker, I thank you for allowing this legislation to the floor for a vote today. I urge all of my colleagues to support this important measure.

Mr. RUSH. Mr. Speaker, I yield back the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I want to thank once again Ms. GRACE

MENG for bringing this important issue to the attention of the Energy and Commerce Committee.

I would urge all Members to support this legislation.

I yield back the balance of my time.  
Mr. ROYCE. Mr. Speaker, I rise today to speak in support of H.R. 4238, which was introduced by my colleague, the gentlewoman from New York, Representative MENG.

Racism and discrimination have no place in America today. We are a nation of immigrants that is proud of its diversity.

Despite our society's progression and growth over the last 100 years, the Federal Code still contains language on ethnicity that is antiquated, and, quite frankly, inappropriate. For example, the term "Orientals" is offensive, especially so when referring to the vibrant Asian American community. Using this term in federal law lends it a legitimacy it doesn't deserve.

I strongly believe that when we get the chance, we should correct the mistakes of the past. This bill goes a long way towards correcting our mistakes.

H.R. 4238 eliminates outdated, disrespectful terms from federal law and replaces them with terms, such as "Asian American," "Alaska Natives," and "Hispanic," that are more appropriate for our times and in keeping with our values.

Last year, Representative MENG and I successfully amended H.R. 8 to strike these derogatory terms, which did not move in the Senate. As an original cosponsor of this standalone bill, I'm very happy that she and I are closer to having this language signed into law and these terms removed for good.

Deleting inappropriate terms from the U.S. Code is a simple, yet important, way of demonstrating respect for our Nation's diversity.

I strongly support this bill and urge my colleagues in the House to vote in support of it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, H.R. 4238.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WHITFIELD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### EPS IMPROVEMENT ACT OF 2016

Mr. WHITFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4444) to amend the Energy Policy and Conservation Act to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination from energy conservation standards for external power supplies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4444

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "EPS Improvement Act of 2016".

#### SEC. 2. APPLICATION OF ENERGY CONSERVATION STANDARDS TO CERTAIN EXTERNAL POWER SUPPLIES.

(a) DEFINITION OF EXTERNAL POWER SUPPLY.—Section 321(36)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(36)(A)) is amended—

(1) by striking the subparagraph designation and all that follows through "The term" and inserting the following:

"(A) EXTERNAL POWER SUPPLY.—

"(i) IN GENERAL.—The term"; and

(2) by adding at the end the following:

"(ii) EXCLUSION.—The term 'external power supply' does not include a power supply circuit, driver, or device that is designed exclusively to be connected to, and power—

"(I) light-emitting diodes providing illumination;

"(II) organic light-emitting diodes providing illumination; or

"(III) ceiling fans using direct current motors.".

(b) STANDARDS FOR LIGHTING POWER SUPPLY CIRCUITS.—

(1) DEFINITION.—Section 340(2)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6311(2)(B)) is amended by striking clause (v) and inserting the following:

"(v) electric lights and lighting power supply circuits;".

(2) ENERGY CONSERVATION STANDARD FOR CERTAIN EQUIPMENT.—Section 342 of the Energy Policy and Conservation Act (42 U.S.C. 6313) is amended by adding at the end the following:

"(g) LIGHTING POWER SUPPLY CIRCUITS.—If the Secretary, acting pursuant to section 341(b), includes as covered equipment solid state lighting power supply circuits, drivers, or devices described in section 321(36)(A)(ii), the Secretary may prescribe under this part, not earlier than 1 year after the date on which a test procedure has been prescribed, an energy conservation standard for such equipment.".

(c) TECHNICAL CORRECTIONS.—

(1) Section 321(6)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6291(6)(B)) is amended by striking "(19)" and inserting "(20)".

(2) Section 324 of the Energy Policy and Conservation Act (42 U.S.C. 6294) is amended by striking "(19)" each place it appears in each of subsections (a)(3), (b)(1)(B), (b)(3), and (b)(5) and inserting "(20)".

(3) Section 325(1) of the Energy Policy and Conservation Act (42 U.S.C. 6295(1)) is amended by striking "paragraph (19)" each place it appears and inserting "paragraph (20)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from Illinois (Mr. RUSH) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

#### GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WHITFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to bring to the floor today H.R. 4444, the EPS Improvement Act of 2016.

I want to give special thanks to our colleagues, RENEE ELLMERS of North Carolina, DIANA DEGETTE of Colorado, MIKE POMPEO of Kansas, DORIS MATSUI of California, and Mr. CHARLES DENT of Pennsylvania, for their work on this piece of legislation.

I yield 5 minutes to the gentlewoman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS of North Carolina. I thank the chairman for yielding on this specific issue and for leading our subcommittee of the Energy and Commerce Committee.

Mr. Speaker, I rise today to urge my colleagues to support H.R. 4444, the EPS Improvement Act of 2016. This bipartisan bill would provide certainty to North Carolina lighting manufacturers that provide over 3,000 jobs in my home State. H.R. 4444 will resolve the underlying issues of the Department of Energy External Power Supply rule.

In 2005, Congress directed the Department of Energy to develop energy efficiency standards for external power supplies. The DOE initially stated that products intended to be covered by these standards "convert household electric current into DC or lower voltage AC to operate consumer products such as a laptop computer or a smartphone."

Years after the passage of the Energy Policy Act of 2005, new technologies such as OLED and LED drivers were introduced into the marketplace. While the development of these drivers increased energy efficiency, it has also caused uncertainty in the manufacturing sector. This is because DOE roped in drivers as products to also be covered under the EPS rule.

DOE is now attempting to regulate a product that was not in the marketplace at the time Congress initially directed the Department to set external power supply standards. Both manufacturers and the energy efficiency community agree that this was and is not the intent of Congress.

DOE has continued with this misguided rule despite the distinct difference in the design and use of LED drivers to that of the design and use of EPS. One example demonstrating the difference is that EPS uses single-stage power conversion while LED drivers use a two-stage power conversion.

Thankfully, H.R. 4444 is a promanufacturing, proconsumer piece of legislation that resolves this problem. It will exclude certain technologies from being included in other broad rulemakings.

I would like to thank my colleagues, Representatives DEGETTE, POMPEO, MATSUI, and DENT for their leadership on this important issue.

Additionally, I would like to thank Chairman WHITFIELD and the Energy and Power Subcommittee staff for their time and efforts in advancing this legislation.

Mr. RUSH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to commend my colleagues on the Energy and Commerce Committee—Mrs. ELLMERS and Ms. DEGETTE, in particular—as well as all of my other colleagues who worked on H.R. 4444, the EPS Improvement Act of 2016.

This bipartisan piece of legislation would exclude the drivers that power light-emitting diodes, commonly known as LEDs, and direct-current ceiling fans from DOE's energy conservation standards for external power supplies.

Mr. Speaker, in the Energy Policy Act of 2005, Congress directed DOE to establish conservation standards for external power supplies used to convert household electric current into DC current or lower voltage AC current.

At the time, external power supplies were almost exclusively the kind of wall chargers used to power laptops, cell phones, and other similar consumer devices.

□ 1600

Mr. Speaker, in 2005, LED lighting was in its infancy stages. LED lamps were not even on the market then, nor were they available in 2007, when Congress amended the definition of external power supply in the Energy Independence Act of 2007.

However, in just over a decade, Mr. Speaker, LED and other high-efficiency, solid-state lighting products have become widely available. These lights provide significant energy-efficiency cost savings to consumers when compared with traditional light bulbs.

LEDs get swept up in the energy conservation standards for external power supplies because they are powered by solid-state lighting drivers that bear superficial similarities to the kind of chargers that Congress directed DOE to set standards for.

Now, Mr. Speaker, one might ask, if these LEDs are so efficient, how is it that their drivers cannot meet the energy conservation standards for external power supplies?

Well, this is simply because in order to comply with the standards, an external power supply must be tested when it is disconnected from the object it is powering.

For example, Mr. Speaker, a laptop power supply would have to be tested when it is disconnected from the laptop. LED drivers are not designed to operate when disconnected from LEDs, and so they cannot be tested in the same way as other external power supplies.

This means that even though they are indeed very energy efficient, they cannot comply with the standards. The same is true of a new generation of energy-efficient ceiling fans.

Mr. Speaker, to be sure, this legislation still holds these devices accountable to energy and conservation standards. H.R. 4444 makes DOE's authority to prescribe separate energy and conservation standards for LED drivers explicit.

Ceiling fans with the direct current motors would still be required to meet DOE energy conservation standards for ceiling fans.

Mr. Speaker, I urge my colleagues to vote "yes" on the bill before us.

I ask unanimous consent to yield the balance of my time to the gentlewoman from Colorado (Ms. DEGETTE), and that she may control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WHITFIELD. Mr. Speaker, I have no other speakers other than myself, and I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to add my thanks to those of my colleague, Mrs. ELLMERS. I want to also thank Chairman UPTON, Ranking Member PALONE. I want to thank Chairman WHITFIELD and Ranking Member RUSH, Ms. MATSUI, Mr. POMPEO, Mr. DENT, and Mrs. CAPPS, all for supporting this important measure.

This bill updates the DOE's energy conservation standards to keep with the innovations that have taken place over the last decade in household and commercial lighting.

While the latest lighting may look similar on the exterior, it actually runs on new and exciting technology. Frankly, as you have heard from the other speakers, we need to update our regulatory scheme to keep these innovations going.

Specifically, when the Energy and Commerce Committee wrote the Energy Policy and Conservation Act of 2005, it directed the Department of Energy to develop a conservation standard for external power supply products.

Because of the inadvertently broad definition we created for external power supplies, emerging LED drivers were swept up into a standard that, as you have heard so eloquently from the other speakers, just doesn't make any sense.

That means that, although LED drivers are highly energy-efficient, they can't meet the EPS conservation standard, and their ability to compete in the competitive lighting market is now an open question.

Now, this might seem like a technicality, but in the real world, this bill is vitally important. Just last week, for example, General Electric and JPMorgan Chase rang the closing bell at the New York Stock Exchange to announce a deal for the world's largest single-order installation of LED lighting.

GE will install LED lighting at 5,000 JPMorgan Chase bank branches this year, which will cut the bank's lighting bill in half. But unless we pass this bill quickly, the new lighting at JPMorgan Chase locations technically won't meet basic efficiency standards.

It is urgent that we pass this bill now and that we pass it quickly through the other body because these new effi-

ciency standards are going into effect. And while everybody agrees LED lighting is important, we are still coming against the letter of the law.

And so that is why I want to thank everybody on both sides of the aisle for realizing how incredibly important this is.

By passing the EPS Improvement Act of 2016, we will let the LED lighting revolution continue. We will help lower energy prices for every American business and household, and will continue our goal of more and more efficient energy.

Mr. Speaker, if my friend across the aisle still has no speakers, I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Speaker, I rise in strong support of H.R. 4444. This overdue legislation is critically important to ensure that the innovation and implementation of LED technologies continues.

Our Nation has made great strides toward the production of accessible and affordable clean energy. To continue this momentum, we must do all we can to embrace and support technologies that strive to improve energy efficiency.

In so doing, we must support efforts toward greater energy efficiency by supporting technologies that use fewer resources for the same or better results. This allows us to balance our energy consumption with the need to protect the global environment. And that is exactly what this bill does.

When it comes to the lighting sector, LED technologies are at the forefront of meeting the efficiency demand. This technology is drastically reducing the energy required to provide light in both residential and industrial settings throughout the country and around the world.

While the reach of this technology is amazingly broad, LEDs are incredibly important to my district as well. There is a long history of researching, developing and innovating LEDs technologies in academia, industry, and nonprofits along the central coast of California.

The University of California Santa Barbara continues to lead the way in research to improve upon the light-emitting diodes, or LEDs, as we know them.

Furthermore, UCSB is fortunate to employ one of the leading researchers in the world, Dr. Shuji Nakamura, who was awarded the Nobel Prize for his work on LEDs.

And Cree Lighting, which translates this research into employable technologies has a facility in my district where they are continuing to develop cutting-edge applications for LEDs.

The promise of this technology really is a game changer. In fact, the Institute for Energy Efficiency at UC Santa Barbara has worked with the nonprofit Unite for Light to provide reading lights to people across the world, replacing dangerous kerosene lamps still

used in places where electricity is not available with solar charged LED reading lights.

You know, I have one of these little reading lights in my home. They are about 12 inches tall. This is Unite for Light. Instead of a power cord plugging into the wall, they have two little solar panels at the base.

If you set them in the sunlight during the day, then you have the ability in the evening, then a child in a Third World country, or some person who needs to do work or homework at night, can take this little lamp, reading light, and use it to further their employment, their education until we get the infrastructure in place to do that itself.

So there is no doubt that LEDs are an important technology to change lighting, as we know it, providing an accessible and efficient source of illumination.

H.R. 4444 ensures that the important research and development of LED technologies, such as the activities in my district, will be able to continue and that LEDs will be able to efficiently light the world around us.

I urge my colleagues to support this bill.

Ms. DEGETTE. Mr. Speaker, having no other speakers, I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I yield myself such time as I may consume.

I want to thank all of those involved in bringing forth this legislation. We are all excited about it.

It does teach each one of us a lesson, though, and that is, sometimes we pass legislation, and we use language a little bit too broad; and the regulatory agencies take that and run. And now we see them trying to regulate something that was not even in existence when the 2005 Energy Policy Act was adopted.

I don't think that many Members of Congress or the American people ever thought that the Department of Energy would be setting efficiency standards for ceiling fans, for microwave ovens, refrigerators.

It reminds me of that Dire Straits song, and I hope you all liked them as much I did, but they had this song entitled "Money for Nothing" and the chicks are free. They talked about the importance of moving microwave ovens, refrigerators, and color TVs.

We find ourselves today living in a world in which everything is so micro-managed, and this is an example of that action. We understand we need regulations, but I am glad that we have a group of Democrats and Republicans coming together with common sense to say to the Department of Energy, hey, we need some balance here.

I would urge passage of this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, H.R. 4444.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

### ENERGY AND MANUFACTURING WORKFORCE DEVELOPMENT

Mr. WHITFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4583) to promote a 21st century energy and manufacturing workforce, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4583

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ENERGY AND MANUFACTURING WORKFORCE DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Energy (in this Act referred to as the "Secretary") shall prioritize education and training for energy and manufacturing-related jobs in order to increase the number of skilled workers trained to work in energy and manufacturing-related fields when considering awards for existing grant programs, including by—

(1) encouraging State education agencies and local educational agencies to equip students with the skills, mentorships, training, and technical expertise necessary to fill the employment opportunities vital to managing and operating the Nation's energy and manufacturing industries, in collaboration with representatives from the energy and manufacturing industries (including the oil, gas, coal, nuclear, utility, pipeline, renewable, petrochemical, manufacturing, and electrical construction sectors) to identify the areas of highest need in each sector and the skills necessary for a high quality workforce in the following sectors of energy and manufacturing:

(A) Energy efficiency industry, including work in energy efficiency, conservation, weatherization, or retrofitting, or as inspectors or auditors.

(B) Pipeline industry, including work in pipeline construction and maintenance or work as engineers or technical advisors.

(C) Utility industry, including work in the generation, transmission, and distribution of electricity and natural gas, such as utility technicians, operators, lineworkers, engineers, scientists, and information technology specialists.

(D) Nuclear industry, including work as scientists, engineers, technicians, mathematicians, or security personnel.

(E) Oil and gas industry, including work as scientists, engineers, technicians, mathematicians, petrochemical engineers, or geologists.

(F) Renewable industry, including work in the development, manufacturing, and production of renewable energy sources (such as solar, hydropower, wind, or geothermal energy).

(G) Coal industry, including work as coal miners, engineers, developers and manufacturers of state-of-the-art coal facilities, technology vendors, coal transportation workers and operators, or mining equipment vendors.

(H) Manufacturing industry, including work as operations technicians, operations

and design in additive manufacturing, 3-D printing, advanced composites, and advanced aluminum and other metal alloys, industrial energy efficiency management systems, including power electronics, and other innovative technologies.

(I) Chemical manufacturing industry, including work in construction (such as welders, pipefitters, and tool and die makers) or as instrument and electrical technicians, machinists, chemical process operators, chemical engineers, quality and safety professionals, and reliability engineers; and

(2) strengthening and more fully engaging Department of Energy programs and labs in carrying out the Department's workforce development initiatives including the Minorities in Energy Initiative.

(b) PROHIBITION.—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to incentivize, require, or coerce a State, school district, or school to adopt curricula aligned to the skills described in subsection (a).

(c) PRIORITY.—The Secretary shall prioritize the education and training of underrepresented groups in energy and manufacturing-related jobs.

(d) CLEARINGHOUSE.—In carrying out this section, the Secretary shall establish a clearinghouse to—

(1) maintain and update information and resources on training and workforce development programs for energy and manufacturing-related jobs, including job training and workforce development programs available to assist displaced and unemployed energy and manufacturing workers transitioning to new employment; and

(2) provide technical assistance for States, local educational agencies, schools, community colleges, universities (including minority serving institutions), workforce development programs, labor-management organizations, and industry organizations that would like to develop and implement energy and manufacturing-related training programs.

(e) COLLABORATION.—In carrying out this section, the Secretary—

(1) shall collaborate with States, local educational agencies, schools, community colleges, universities (including minority serving institutions), workforce-training organizations, national laboratories, State energy offices, workforce investment boards, and the energy and manufacturing industries;

(2) shall encourage and foster collaboration, mentorships, and partnerships among organizations (including industry, States, local educational agencies, schools, community colleges, workforce-development organizations, and colleges and universities) that currently provide effective job training programs in the energy and manufacturing fields and entities (including States, local educational agencies, schools, community colleges, workforce development programs, and colleges and universities) that seek to establish these types of programs in order to share best practices; and

(3) shall collaborate with the Bureau of Labor Statistics, the Department of Commerce, the Bureau of the Census, States, and the energy and manufacturing industries to develop a comprehensive and detailed understanding of the energy and manufacturing workforce needs and opportunities by State and by region.

(f) OUTREACH TO MINORITY SERVING INSTITUTIONS.—In carrying out this section, the Secretary shall—

(1) give special consideration to increasing outreach to minority serving institutions and Historically Black Colleges and Universities;

(2) make existing resources available through program cross-cutting to minority



serving institutions with the objective of increasing the number of skilled minorities and women trained to go into the energy and manufacturing sectors;

(3) encourage industry to improve the opportunities for students of minority serving institutions to participate in industry internships and cooperative work/study programs; and

(4) partner with the Department of Energy laboratories to increase underrepresented groups' participation in internships, fellowships, traineeships, and employment at all Department of Energy laboratories.

(g) **OUTREACH TO DISLOCATED ENERGY AND MANUFACTURING WORKERS.**—In carrying out this section, the Secretary shall—

(1) give special consideration to increasing outreach to employers and job trainers preparing dislocated energy and manufacturing workers for in-demand sectors or occupations;

(2) make existing resources available through program cross-cutting to institutions serving dislocated energy and manufacturing workers with the objective of training individuals to re-enter in-demand sectors or occupations;

(3) encourage the energy and manufacturing industries to improve opportunities for dislocated energy and manufacturing workers to participate in career pathways; and

(4) work closely with the energy and manufacturing industries to identify energy and manufacturing operations, such as coal-fired power plants and coal mines, scheduled for closure and to provide early intervention assistance to workers employed at such energy and manufacturing operations by—

(A) partnering with State and local workforce development boards;

(B) giving special consideration to employers and job trainers preparing such workers for in-demand sectors or occupations;

(C) making existing resources available through program cross-cutting to institutions serving such workers with the objective of training them to re-enter in-demand sectors or occupations; and

(D) encouraging the energy and manufacturing industries to improve opportunities for such workers to participate in career pathways.

(h) **ENROLLMENT IN WORKFORCE DEVELOPMENT PROGRAMS.**—In carrying out this section, the Secretary shall work with industry and community-based workforce organizations to help identify candidates, including from underrepresented communities such as minorities, women, and veterans, to enroll in workforce development programs for energy and manufacturing-related jobs.

(i) **PROHIBITION.**—Nothing in this section shall be construed as authorizing the creation of a new workforce development program.

(j) **DEFINITIONS.**—In this section:

(1) **CAREER PATHWAYS; DISLOCATED WORKER; IN-DEMAND SECTORS OR OCCUPATIONS; LOCAL WORKFORCE DEVELOPMENT BOARD; STATE WORKFORCE DEVELOPMENT BOARD.**—The terms “career pathways”, “dislocated worker”, “in-demand sectors or occupations”, “local workforce development board”, and “State workforce development board” have the meanings given the terms “career pathways”, “dislocated worker”, “in-demand sectors or occupations”, “local board”, and “State board”, respectively, in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(2) **MINORITY-SERVING INSTITUTION.**—The term “minority-serving institution” means an institution of higher education with a designation of one of the following:

(A) Hispanic-serving institution (as defined in 20 U.S.C.1101a(a)(5)).

(B) Tribal College or University (as defined in 20 U.S.C.1059c(b)).

(C) Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in 20 U.S.C.1059d(b)).

(D) Predominantly Black Institution (as defined in 20 U.S.C.1059e(b)).

(E) Native American-serving nontribal institution (as defined in 20 U.S.C.1059f(b)).

(F) Asian American and Native American Pacific Islander-serving institution (as defined in 20 U.S.C.1059g(b)).

## SEC. 2. REPORT.

Five years after the date of enactment of this Act, the Secretary shall publish a comprehensive report to the Committee on Energy and Commerce and the Committee on Education and the Workforce of the House of Representatives and the Senate Energy and Natural Resources Committee on the outlook for energy and manufacturing sectors nationally. The report shall also include a comprehensive summary of energy and manufacturing job creation as a result of the enactment of this Act. The report shall include performance data regarding the number of program participants served, the percentage of participants in competitive integrated employment two quarters and four quarters after program completion, the median income of program participants two quarters and four quarters after program completion, and the percentage of program participants receiving industry-recognized credentials.

## SEC. 3. USE OF EXISTING FUNDS.

No additional funds are authorized to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from Illinois (Mr. RUSH) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

## GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

□ 1615

Mr. WHITFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am also pleased that we are considering today H.R. 4583, a bill to promote a 21st century energy and manufacturing workforce, introduced by my colleagues, Mr. RUSH of Illinois and Mr. HUDSON of North Carolina.

This bill takes important steps to help make training for energy and manufacturing jobs available to women and minorities as well as veterans and out-of-work coal miners.

I want to give a special word of thanks to Mr. RUSH because he and Mr. HUDSON were working on this legislation. They tried to get it included in the energy act that we passed a few weeks ago, and it didn't quite work out; but I am delighted that we are able to move this bill by itself.

Mr. Speaker, I reserve the balance of my time.

Mr. RUSH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me begin by commending Chairman UPTON, Chairman WHITFIELD, Ranking Member PALLONE, and the committee staff for working with my office to bring the 21st century workforce legislation to the House floor today. I would also publicly acknowledge the leadership of my colleague, Mr. HUDSON of North Carolina, and his staff who played an instrumental role in helping us to get to this very point.

The good faith talks held between my office, the majority and the minority committee staff, and Mr. HUDSON's office have resulted in this bipartisan jobs bill that will go a long way in helping to get our Nation's economy back on track and working for everyone.

Mr. Speaker, this workforce bill before us provides an example of how Congress should function and how Congress should work on behalf of the American people. Here we have bipartisan members of the Energy and Commerce Committee who represent various constituencies from diverse regions of the country and who come from different political persuasions. However, Mr. Speaker, it must be well noted that we were able to put aside our differences and focus our efforts on bringing forth a jobs bill that will benefit all of our Nation's communities and help lift up the entire American economy.

And exactly what does this bill do, Mr. Speaker?

This bill directs the Secretary of Energy to prioritize the training of underrepresented groups, including minorities, women, veterans, as well as displaced and unemployed energy and manufacturing workers, in order to increase the number of skilled candidates trained to work in these same related fields.

Mr. Speaker, this bill will strengthen and more fully engage DOE programs and national laboratories in order to carry out the Department's workforce development initiatives. That includes the Minorities in Energy Initiative that was established 2 years ago, with my encouragement, under Secretary Moniz's leadership.

There will be a clearinghouse of information and resources on training and workforce development programs for energy and manufacturing-related jobs, State by State and region by region all across our Nation.

Mr. Speaker, this bill will help increase outreach to minority-serving institutions to ensure that the wealth of existing resources at DOE are made available to these worthy establishments. It will also provide additional outreach to displaced and unemployed energy and manufacturing workers with the objective of improving the opportunities for these candidates to find employment.

This legislation, Mr. Speaker, will help to develop a skilled labor force, trained to work in a wide array of sectors, including renewables, energy efficiency, oil and gas, coal, nuclear, utility, pipelines, alternative fuels, as well as energy-intensive and advanced manufacturing industries.

Mr. Speaker, one of the challenges that I have heard far too many times from my constituents is of individuals participating in training programs that in many cases do not always lead to actually finding a job. With that in mind, Mr. Speaker, this bill will help industry, help schools, and help community-based workforce development organizations to identify candidates for enrollment into training and apprenticeship programs, with the objective of ensuring that the skills learned are immediately transferable to good-paying jobs and good-paying careers within the energy and manufacturing sectors regionally, nationally, and, indeed, all across this globe.

Mr. Speaker, as you well know, and as all Members in this House know, the energy and manufacturing industries are two of the most critical and fastest growing sectors both domestically as well as internationally. The potential of these two sectors can help bolster the American economy and are also vital to the growing number of people seeking middle class status all across the developing world.

It is important, Mr. Speaker, that we equip our citizens, those who need jobs and those who are out of work, with the skills needed and necessary to meet this growing demand so that we can tap into these tremendous opportunities. This very bill before us today will accomplish that goal.

Why is the 21st century workforce bill so very necessary? Mr. Speaker, just last week, my office had yet another visiting delegation, a meeting this time with an energy company out of the great State of North Carolina, whose representatives informed me that right now, today, as we stand here in this great Chamber today, they have over 1,000 job openings that they cannot fill because they cannot find enough qualified skilled workers.

The 21st century workforce bill will address that difficulty and be a solution to that and many other similar problems all across our country. In fact, Mr. Speaker, my office has been holding many of these same types of meetings over the past 4 years with a variety of different energy and manufacturing industries that are indeed facing this very same predicament.

At a time when African American and Latino unemployment rates are still too high, when coal workers throughout Appalachia and beyond are finding themselves without work, when too many female heads of household cannot find adequate employment to take care of their families, and when veterans returning home from defending our Nation still cannot find a job, it is a travesty and a shame that eager

employers still cannot find the trained workers they need.

Mr. Speaker, this is a commonsense jobs bill that will help to match up trained, qualified candidates with good-paying jobs and careers that will fit them and their families, help lift up their community, help strengthen the energy and manufacturing industry, and will bolster the entire American economy as a whole.

Whether you are a student pursuing your engineering degree at an HBCU or a single mother taking classes at your neighborhood community college, this bill seeks to provide additional opportunity to all those individuals who are out there looking to better themselves and improve the financial situation for their families.

Mr. Speaker, when this bill becomes law and its provisions are implemented, it will help out-of-work coal miners retool and retrain for the jobs of the 21st century. This bill will also help returning veterans use their skills and use their talents to find employment and provide a dignified future for their families.

So, Mr. Speaker, again, I want to thank my distinguished colleague from the great State of Michigan, Chairman UPTON; my friend from the great State of Kentucky, Chairman WHITFIELD; Ranking Member PALLONE; my friend from North Carolina (Mr. HUDSON); and all my colleagues on the Energy and Commerce Committee, as well as those who are on the Education and the Workforce Committee who helped bring us to this point today, where we are bringing forward this bill with this focus not only on underserved communities, such as minorities, women, and veterans, but also displaced and unemployed coal miners and out-of-work energy workers in other places.

I can assure you, Mr. Speaker, when this bill ultimately becomes law, it will go a long way in helping not only communities that look like the one I represent on the south side of Chicago, but every community in every district throughout this Nation.

Mr. Speaker, I yield back the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I yield myself such time as I may consume.

I would like to reiterate once again that there were a lot of people involved in bringing this legislation to the floor. It would not have happened except for the persistence and commitment of Mr. RUSH of Illinois. So I want to thank him again.

I also want to say that every Member of Congress comes to this floor, and we talk about regulations and the impact they have on creating jobs. We talk about uncertainty in tax policies, and we talk about the ability of America to be competitive in the global workplace. We talk about a lot of macro issues. But for men and women out there in the country, like coal miners who are losing jobs because of the policies of this administration, veterans who have

extensive leadership skills but can't find good jobs, and minorities who are not trained in the right way, this legislation goes a long way in providing the training that people need to find a good job.

I urge all Members to support this legislation. I want to thank everyone who worked for it.

Mr. Speaker, I yield back the balance of my time.

□ 1630

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill, H.R. 4583, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### AMPLIFYING LOCAL EFFORTS TO ROOT OUT TERROR ACT OF 2016

Mr. LOUDERMILK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4401) to authorize the Secretary of Homeland Security to provide countering violent extremism training to Department of Homeland Security representatives at State and local fusion centers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4401

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Amplifying Local Efforts to Root out Terror Act of 2016" or the "ALERT Act of 2016".

#### SEC. 2. COUNTERING VIOLENT EXTREMISM TRAINING.

(a) AUTHORIZATION OF TRAINING.—The Secretary of Homeland Security is authorized to provide training for personnel, including Department of Homeland Security personnel, State, local, tribal, and territorial representatives at State and major urban area fusion centers for the purpose of administering community awareness briefings and related activities in furtherance of the Department's efforts to counter violent extremism, identify and report suspicious activities, and increase awareness of and more quickly identify terrorism threats, including the travel or attempted travel of individuals from the United States to support a foreign terrorist organization (as such term is described in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)) abroad.

(b) COORDINATION.—To the extent practicable, in providing the training under subsection (a), the Secretary shall coordinate with the heads of other Federal agencies engaged in community outreach related to countering violent extremism and shall also coordinate with such agencies in the administration of related activities, including community awareness briefings.

#### SEC. 3. COUNTERING VIOLENT EXTREMISM ASSESSMENT.

(a) ASSESSMENT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with appropriate State,



local, tribal, and territorial representatives, shall assess the efforts of the Department of Homeland Security to support countering violent extremism at the State, local, tribal, and territorial levels. Such assessment shall include each of the following:

(1) A cataloging of departmental efforts to assist State, local, tribal, and territorial governments in countering violent extremism.

(2) A review of cooperative agreements between the Department and such governments relating to countering violent extremism.

(3) An evaluation of departmental plans and any potential opportunities to better support such governments that are in furtherance of the Department's countering violent extremism objectives and are consistent with all relevant constitutional, legal, and privacy protections.

(b) **SUBMISSION TO CONGRESS.**—Not later than 150 days after the date of the enactment of this Act and consistent with the protection of classified information, the Secretary of Homeland Security shall submit to the appropriate congressional committees the findings of the assessment required under subsection (a) together with any related information regarding best practices for countering violent extremism at the State, local, tribal, and territorial levels.

#### SEC. 4. DEPARTMENT-SPONSORED CLEARANCES.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security shall notify the appropriate congressional committees of the number of employees of State, local, tribal, and territorial governments with security clearances sponsored by the Department of Homeland Security. Such notification shall include a detailed list of the agencies that employ such employees, the level of clearance held by such employees, and whether such employees are assigned as representatives to State and major urban area fusion centers.

#### SEC. 5. PROHIBITION ON ADDITIONAL FUNDING.

No additional funds are authorized to be appropriated to carry out this Act.

#### SEC. 6. DEFINITIONS.

In this Act:

(1) The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate.

(2) The term “violent extremism” means ideologically motivated international terrorism or domestic terrorism, as such terms are defined in section 2331 of title 18, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. LOUDERMILK) and the gentleman from Massachusetts (Mr. KEATING) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

#### GENERAL LEAVE

Mr. LOUDERMILK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LOUDERMILK. Mr. Speaker, I yield myself such time as I may consume.

Just 3 short years ago, a group of domestic terrorists were plotting attacks in my hometown in northwest Georgia. Federal law enforcement was informed that these terrorists were trying to obtain pipe bombs and other improvised explosive devices. Once detonated, these weapons could have destroyed property, disabled utilities, and potentially taken innocent human life.

Because of the imminent threat, a Federal drug task force had to move quickly to intercept the suspects before they could carry out their attack. With such a short time to react to such a volatile situation, logic would suggest that Federal law enforcement would notify and enlist the assistance of the local sheriff's office.

Considering the raid was to take place in the parking lot of a busy shopping center adjacent to a hospital, having local law enforcement assistance was clearly justified. However, there was one problem. The sheriff didn't have the proper security clearance; so, he was not authorized to be briefed on the details of the case.

To stop these would-be terrorists, the FBI had to move quickly and could not wait for a waiver to brief the sheriff or to get approval to enlist his assistance. This bureaucratic hurdle put the FBI, our local law enforcement, and the community at greater risk.

Unfortunately, Mr. Speaker, this scenario plays out way too often across the Nation. While our FBI and Homeland Security agents are doing an exemplary job of countering terrorist activities, their resources are being stretched very thin. With the threat of terrorism on the rise, we must find a way to provide these agents with additional resources.

This is why I have introduced H.R. 4401, the ALERT Act. The Amplifying Local Efforts to Root Out Terror Act removes bureaucratic barriers and paves the way for the Federal Government to enhance State and local law enforcement involvement in fighting the war on terrorism.

By providing the tools and training needed to combat terrorism on multiple levels, this act will provide more efficient cooperation and coordination with State and local officials.

Local law enforcement is crucial to our security, and they are too often overlooked as a valuable asset in fighting against terrorism. Through this legislation, the Department of Homeland Security will be authorized to train State and local law enforcement in the best methods used in combating evolving terrorist threats.

Proper security clearances are also vital for our local law enforcement officials so they may assist with countering terror activity as well as receiving notification of pending threats in their local jurisdictions.

This bill requires the Department to keep Congress apprised of the number of security clearances issued to State and local law enforcement so we can assess whether further congressional action is needed.

Because fighting terrorism is not a singular effort of the Federal Government, the ALERT Act provides increased community awareness of ongoing threats.

Radicalization is also a clear and present danger to Americans. The number of cases of homegrown terrorism is growing nationwide. Since September 11, 2001, there have been 139 homegrown jihadist plots.

Community involvement in countering violent extremism has proven to be effective, as more than 75 percent of U.S. foreign fighter arrests have involved tips from local sources, such as community members, relatives, or friends. This bill will provide even more resources to root out terrorists before they can act.

As we are moving into a new era of terrorism that directly threatens our own communities, we must reevaluate how we meet the current threat. Today everyone has a part to play in protecting against terrorism: the neighbor next door and the local police officer.

While this legislation will not in itself end the threat of terrorism against our Nation, it will allow for the better use of valuable resources already within our communities.

I urge all Members to join me in supporting this bill.

I reserve the balance of my time.

Mr. KEATING. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4401, the Amplifying Local Efforts to Root Out Terror Act, or the ALERT Act, of 2016.

Mr. Speaker, this is the latest in a series of efforts by this Congress and, in particular, the Homeland Security Committee in a bipartisan manner to work to thwart terrorist threats in our country.

Mr. Speaker, we work continuously to look back at the 9/11 Commission recommendations to make sure that we are fulfilling all of the areas of trouble that were identified by that commission where we can make ourselves more secure from terrorist threats.

We also worked very hard as a committee looking at the Boston Marathon bombing. We worked on that and found out that information sharing was not as great as it should have been. In fact, it was one of the things that could have prevented that from occurring.

The police commissioner of Boston testified in front of the committee and was asked: Did you know the information that the Federal law enforcement officials had?

His answer was: No.

Then he was asked: Would it have been helpful for you to know that?

And he said: Of course.

Yet, that information wasn't available.

We have worked in the committee to make sure that information is shared at the local, regional, county, and State levels as well as the Federal law enforcement agency communities.

We have worked together successfully with groups like the Joint Terrorism Task Force to make sure that

information is shared on a daily basis, on a weekly basis, and, in a policy sense, even on a monthly basis, looking back and making sure that we have a seamless system.

Mr. Speaker, we had an initiative that I joined with my colleague from Georgia on as well as four other Members of this House where we traveled to look at the issue of foreign terrorist fighters and the threat to our country resulting from their actions.

Sadly, in the United States, there are over 200 people who have been identified as leaving this country to fight for ISIL in Syria and Iraq. Yet, we went through not only the Middle East, but through Europe with our allies there, to see what threats were there in terms of using those countries as portals into the United States, making sure that not only the 200-plus people from the U.S., if they came back, would be able to deal with their threats, but also the threats imposed by other countries coming back to the U.S.

We found out that in Istanbul, for instance, at the airport there, there are 61 million flights in that airport alone. That is probably 11 times, roughly, the whole population of my State of Massachusetts. Think of that. We found out that there wasn't security measures in place there that we take for granted in our own country.

We also worked hard with our allies in Europe so that they would do the basics and have passenger name records there so that we could trade information to find out who is boarding these planes. We are glad to report that the European Union has acted on that and that has been closed. They are working on areas with the exterior borders that we talked to them about in our trip.

We also have been successful as a Congress to work on the visa waiver country issue to make sure that those areas where people are coming back and have traveled to Syria and Iraq are vetted the way they should be vetted.

We also realize that not only do we have to fight this war on multiple fronts, but we know that back home the threat of domestic violent extremists remains the number one threat, according to every expert. We know from the work that we have done collectively that we could do more on that front in preventing it.

We were told about fusion centers, which are tremendous assets to our security at the local, State, or Federal level, where we worked together gathering and compiling information on a realtime basis. Yet, those fusion centers and the employees there wanted to do more.

They were telling us how they could do more if they were given more training, more coordination, and more information to deal with at the local and State level. It would create a great multiplier effect with the frontline law enforcement people that would make our country safer.

Along those lines, the gentleman from Georgia put in legislation that I

am proud to be a lead sponsor on to make sure that the Department of Homeland Security is there authorizing and providing these resources through the fusion centers to our State and local counterparts.

And I think that translating that not only as information to stop and coordinate activities reacting to terrorist acts, but working at the root cause of sharing information that they can use and apply at the root level to prevent that kind of activity, puts those people closer to the community in a position where they can do more. To me, that is one of the most important things we can do as a Congress, to make sure that that work is being done.

This is a very important bill. It is a bill that I think, once again, we are seeing the role of Congress in making sure that things don't fall between the cracks in terms of our national security, make sure that the resource is there for our local and State counterparts.

I favor this bill because I think it is one of those areas that we found most in need of amplification. I hope this bill is passed.

I reserve the balance of my time.

Mr. LOUDERMILK. Mr. Speaker, I yield 5 minutes to the gentleman from Washington (Mr. REICHERT).

Mr. REICHERT. Mr. Speaker, I thank the gentleman for yielding and thank him for his hard work on this legislation, along with Mr. KEATING.

After listening to both of you speak on this legislation, I am really happy that you get it, that you understand it. This is a great piece of legislation that we are about to enact.

I can speak from some experience, Mr. Speaker. I appreciate that Mr. LOUDERMILK has asked me to speak this evening on this bill.

I was in law enforcement for 33 years. I started out in a patrol car and went through various stages of assignments and finally became the sheriff in King County, which is Seattle, Washington.

Some of the scenarios that you heard two gentlemen speaking about tonight, I have actually been there, done that, and have experienced some of the frustration that they just described tonight.

I know there are going to be some sheriff's deputies and police officers across the country tonight rejoicing in this bill. It will relieve much frustration and also provide some much-needed relief in creating that partnership between Federal and local law enforcement agencies.

I am in strong support of the ALERT Act. Today terrorism is not something that is in foreign countries. It is not somewhere outside of the United States. It is not outside our borders. It is right here. It is right here in Washington, D.C. It is right here in Seattle, Washington, as I said, where I come from.

□ 1645

Our sheriff's deputies and police officers have worked with the Federal

agencies over these past few years, especially since 2001, in following up on hundreds and thousands of leads every day—of which the public, of course, is not aware—of possible threats and terrorism threats to our local communities.

I have had the opportunity to work with almost every Federal law enforcement agency that you can think of since 1972, when I joined the sheriff's office—leaving it in 2005 to come here. I had some great experiences and some not so great experiences. It especially relates back to the sharing of information, and it relates back to the inadequacy of our training and of our ability to connect to the Federal agencies in order to really form a true partnership and a true bond and a true trust.

If we can't, as Federal and local agencies, trust each other to share that information—and I know part of the effort here in the ALERT Act is to build that trust and to have the same training and the same information so we can protect the citizens of this country. That is our job, and that is what this law is designed to do.

We also need the partnership, the trust, of our communities because as we go out and investigate these leads and investigate these tips of possible terrorist attacks, we are interviewing people who live in our communities. They need to trust us. They need to respect, I should say, not only us here in Congress, but they need to respect our law enforcement agencies and officers across the country.

Most of all, our law enforcement agencies need to respect them. That is when we will have that trust by which we can share information and truly come together. The cops cannot protect this country alone. The community cannot protect this country alone. They cannot protect their neighborhoods alone, let alone our country; but we have given more and more responsibility to our local officers, and they are being spread thin.

I think that is why, ladies and gentlemen and Mr. Speaker, we are divided today. Cops and community are divided. We don't have that interaction any longer, and that trust that we have built over many, many years is now beginning to erode. I think that this bill goes a long way in building that trust and relationship between the Federal agencies and the local agencies and in providing that training.

Most of all, what I appreciate about this legislation is that you have called attention to the fact that local law enforcement is key and is absolutely vital, absolutely critical, to protecting this country and that we are asking them to participate in the defense of our homeland. Not only that, but at the same time, we are asking them to answer those emergency calls—and I am going to mention, if you will allow me a moment—as Officer Ashley Guindon did on her first day as a sheriff's deputy, and she died. That is what we are talking about here: life and

death, service to our community, protecting this country.

I thank the gentlemen for the hard work.

Mr. KEATING. Mr. Speaker, I yield myself such time as I may consume.

In closing, I thank the gentleman from Georgia for his leadership on this.

With regard to the gentleman from Washington State (Mr. REICHERT), I was a district attorney for 12 years and had my own attached State police force. I worked with local law enforcement, and I understand just what he was talking about in terms of the need to communicate, to work together cohesively, and to share information. We are all safer when that occurs.

Mr. Speaker, I started my day this morning in Boston. We met at the Federal Reserve. The “we” that met was something that, perhaps, you wouldn’t have seen a few years ago but that we see today because of the efforts by Congress, the Homeland Security Committee, the gentleman from Georgia, and me in working together across the aisle and in making sure these things happen.

It was a meeting on surface transportation threats and terrorist threats. We had our staff and the head of the FBI in our region there. We had the head of the ATF. We had our regional head of the TSA there. We had State officials, local officials, local police, regional police. We had authorities, like the transportation authorities, all present in the room—filling up the room—working together, sharing information. Yet we know we have to do a better job of making sure that occurs going forward.

With regard to many of the things we worked on in the committee, some of those agencies made procedural changes. They adopted new priorities that they had not had before. There is the reporting to Congress on the information of foreign terrorist fighters from our European allies, as well as making sure that the Joint Terrorism Task Force is sharing information.

With this legislation, we are making sure, going forward, that that is going to continue to be done because oftentimes, unfortunately, we react to a major crisis, respond, and provide the resources. Then, after a period of time, our attention wanes, and we are not constantly making sure that it is being done.

This legislation will make sure that it is being done going forward, and it will make sure that these groups are reporting back to Congress on a regular basis so that we are in a position to know that it continues to go forward all the time because, as our attention and our resources and our defensiveness might wane, the threats by terrorists will always be there, unfortunately, in the world we share. This will make sure that the reporting back to Congress occurs as well.

I am pleased to say that Congress has an integral role in this. We have crossed a very divided line, unfortu-

nately, that we live with today from a partisan standpoint, and we will work together time and time again, because if we can’t work together on issues of our national security, what can we work together on?

I thank my colleague from Georgia (Mr. LOUDERMILK). I thank the chairman of the committee, Mr. MCCAUL; the ranking member, Mr. THOMPSON; and all of the committee members for their efforts going forward. This ALERT Act will keep us safer, not just tomorrow, but in the decades ahead.

I yield back the balance of my time.

Mr. LOUDERMILK. Mr. Speaker, I yield myself such time as I may consume.

Let me give a heartfelt thanks to my colleagues across the aisle, especially to my colleague from Massachusetts (Mr. KEATING), who mentioned that we have spent a good amount of time together in traveling to the Middle East and to Europe, looking at terrorism.

There was a time in our Nation’s history when our focus on terrorism was isolated to areas overseas, but no longer. Terrorism is in our neighborhoods and it is in our communities. As you heard here today, from Massachusetts to Georgia to Washington State, there are no geographical boundaries on terrorism even within the United States.

While this bill will not end terrorism, it will give critical tools to those who know their communities best. The local law enforcement officer who is on the beat every day knows his community better than anyone. When something isn’t just right, he is the first one to notice it. It is critical that we provide them with the training, the security clearances, and the tools that they need to become a force multiplier for our Federal agents who are operating on very limited resources today. In fact, they are stretched very thin.

Again, I thank all of those who are in support of this legislation. Of all I have worked on, I believe that this is one of the most important—that being the securing of our Nation so our children will have a nation that is free, safe, and full of opportunity. I urge my colleagues to support H.R. 4401.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The question is on the motion offered by the gentleman from Georgia (Mr. LOUDERMILK) that the House suspend the rules and pass the bill, H.R. 4401, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### CALLING ON GOVERNMENT OF IRAN TO ASSIST IN CASE OF ROBERT LEVINSON

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to

the resolution (H. Res. 148) calling on the Government of Iran to fulfill their promises of assistance in this case of Robert Levinson, the longest held United States civilian in our Nation’s history, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 148

Whereas United States citizen Robert Levinson is a retired agent of the Federal Bureau of Investigation (FBI), a resident of Coral Springs, Florida, the husband of Christine Levinson, and father of their 7 children;

Whereas Robert Levinson traveled from Dubai, UAE, to Kish Island, Iran, on March 8, 2007;

Whereas after traveling to Kish Island and checking into the Hotel Maryam, Robert Levinson disappeared on March 9, 2007;

Whereas, in December 2007, Robert Levinson’s wife, Christine, traveled to Kish Island to retrace Mr. Levinson’s steps and met with officials of the Government of Iran who pledged to help in the investigation;

Whereas, for more than 8 years, the United States Government has continually pressed the Government of Iran to provide any information on the whereabouts of Robert Levinson and to help ensure his prompt and safe return to his family;

Whereas officials of the Government of Iran promised their continued assistance to the relatives of Robert Levinson during the visit of the family to the Islamic Republic of Iran in December 2007;

Whereas, in November 2010, the Levinson family received a video of Mr. Levinson in captivity, representing the first proof of life since his disappearance and providing some initial indications that he was being held somewhere in southwest Asia;

Whereas, in April 2011, the Levinson family received a series of pictures of Mr. Levinson, which provided further indications that he was being held somewhere in southwest Asia;

Whereas Secretary John Kerry stated on August 28, 2013, “The United States respectfully asks the Government of the Islamic Republic of Iran to work cooperatively with us in our efforts to help U.S. citizen Robert Levinson.”;

Whereas, on September 28, 2013, during the first direct phone conversation between the heads of the Government of the United States and Iran since 1979, President Barack Obama raised the case of Robert Levinson to President of Iran Hassan Rouhani and urged the President of Iran to help locate Mr. Levinson and reunite him with his family;

Whereas, on August 29, 2014, Secretary of State John Kerry again stated that the United States “respectfully request the Government of the Islamic Republic of Iran work cooperatively with us to find Mr. Levinson and bring him home.”;

Whereas on July 14, 2015, the Governments of the United States, the United Kingdom, France, Russia, China, and Germany concluded 20 months of negotiations with Iran over its nuclear program;

Whereas, on January 16, 2016, the Government of Iran released five United States citizens detained in Iran, Jason Rezaian of California, Saeed Abedini of Idaho, Amir Mirzaei Hekmati of Michigan, Matthew Trevithick of Massachusetts, and Nosratollah Khosravi-Roodsari;

Whereas, on January 17, 2016, President Obama stated “even as we rejoice in the safe return of others, we will never forget about Bob”, referring to Robert Levinson, and that “each and every day but especially today our hearts are with the Levinson family and we

will never rest until their family is whole again.”;

Whereas, on January 19, 2016, White House Press Secretary Josh Earnest stated that the United States Government had “secured a commitment from the Iranians to use the channel that has now been opened to secure the release of those individuals that we know were being held by Iran. . .to try and gather information about Mr. Levinson’s possible whereabouts”;

Whereas, on November 26, 2013, Robert Levinson became the longest held United States hostage in our Nation’s history; and

Whereas the FBI has announced a \$5,000,000 reward for information leading to Mr. Levinson’s safe return: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes that Robert Levinson is the longest held United States hostage in our Nation’s history;

(2) notes the repeated pledges by and renewed commitment of officials of the Government of Iran to provide their Government’s assistance in the case of Robert Levinson;

(3) urges the Government of Iran, as a humanitarian gesture, to act on its promises to assist in the case of Robert Levinson and to immediately provide to the United States Government all available information from all entities of the Government of Iran regarding the disappearance of Robert Levinson;

(4) urges the President and the allies of the United States to continue to raise with officials of the Government of Iran the case of Robert Levinson at every opportunity, notwithstanding ongoing and serious disagreements the United States Government has with the Government of Iran on a broad array of issues, including Iran’s ballistic missile program, sponsorship of international terrorism, and human rights abuses; and

(5) expresses sympathy to the family of Robert Levinson for their anguish and expresses hope that their ordeal can be brought to an end in the near future.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Florida (Mr. DEUTCH) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

First, I would like to thank Chairman ROYCE and Ranking Member ENGEL for their leadership in bringing attention to Bob Levinson’s plight and for guiding this resolution through our Foreign Affairs Committee and onto the House floor today.

Two weeks ago, we passed this resolution out of the Middle East and North Africa Subcommittee, which I chair alongside Ranking Member TED DEUTCH, my friend from Florida. We

were joined by Bob’s wife, Christine, and their son Dan, as well as by Bob’s sister-in-law, Suzi.

It was truly heart wrenching, Mr. Speaker, to see Christine, Dan, and Suzi again and to see how much they miss Bob and how much they worry about his well-being and his fate. All they want is Bob’s safe and immediate return. Unfortunately, the Iranian regime’s continued failure to honor its commitments and promises to assist in Bob’s case and to help bring him home have left them without a father, without a husband, and without a friend for nearly 3,300 days.

In fact, next week will mark the ninth anniversary of Bob’s disappearance from Kish Island, Iranian territory. I can’t even begin to imagine what the family has had to endure for these past 9 years—all of the birthdays, all of the holidays, all of the anniversaries, all of the momentous family occasions that never really felt whole because Bob was unable to share them with his family. No family should ever have to go through that ordeal, and the U.S. and the Iranian Governments can and should do more to ensure Bob’s immediate return.

That is why this resolution before us today, Mr. Speaker, is so important, not just for Bob and the Levinson family, but for all American citizens who may, one day, be in a similar situation. Our constituents and the American people need to know that their Representatives and their government will make the safety and security of U.S. citizens a top priority.

Mr. Speaker, I reserve the balance of my time.

Mr. DEUTCH. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of the resolution.

I thank my good friend and partner, Congresswoman ROS-LEHTINEN, along with Congresswoman WASSERMAN SCHULTZ and Congressman DIAZ-BALART, for introducing this resolution with me and for their commitment to raising awareness to Bob Levinson’s case and for always pushing for Bob’s return.

I thank Chairman ROYCE and Ranking Member ENGEL for helping to swiftly move this resolution to the floor as we prepare to mark the anniversary of Bob Levinson’s disappearance. I thank Senator NELSON for spearheading a similar resolution, which passed the Senate earlier this month. I also thank all of my colleagues who have cosponsored this resolution.

□ 1700

Passing this resolution today is particularly significant. This Saturday, March 5, 2016, members of Bob’s community in my district in south Florida will come together for a rally in support of the Levinson family and call for Bob’s immediate return. Just 4 days later, on March 9, we will mark the ninth anniversary of Bob’s disappearance from Kish Island in Iran.

When we received word in January that our government negotiated for the

release of four Americans imprisoned in Iran, we welcomed the news. These were Americans who were wrongfully held, and this move made very clear that the United States does not forget about its own people.

We rejoiced as Amir Hekmati, Saeed Abedini, and Jason Rezaian were reunited with their families. Our colleagues, Congressmen KILDEE, HUFFMAN, and LABRADOR, have been tireless, tireless advocates for the release of their constituents. I am so pleased that each of them has returned to the United States. For their families, Mr. Speaker, the nightmare is over. Unfortunately, the nightmare continues for my constituents, the Levinson family.

Bob is now the longest held hostage in American history. Bob has now missed 9 years of birthdays with his seven children, anniversaries with his wife, Christine, weddings, the births of three of his four grandchildren, and so many other happy occasions that should have been celebrated together as a family. This is a family who, for 9 years, has never given up on bringing their husband, their father home.

We were so fortunate to be joined by Bob’s wife, Christine, and his eldest son, Dan, when we passed this resolution in committee some weeks ago. We had the opportunity to tell them directly that this Congress will not forget about Bob. By passing this resolution today, this House of Representatives will now tell the world that we will never forget about Bob.

Bob Levinson dedicated his life to serving this country, first with the DEA and then over 20 years as an FBI agent. Bob is a patriot who loves this country dearly, and now, Mr. Speaker, it is time for this country to come through for Bob.

Over the years, the Levinson family has received proof of life in the form of pictures and video. We are grateful that throughout the nuclear negotiations with Iran, Secretary Kerry and others raised Bob’s case at every single meeting, and we have been told that the deal to release the other Americans opened new avenues for consultation on Bob’s case. But we cannot wait. Whatever information Iran has about Bob needs to be provided now so that Bob can be brought home.

This resolution before us today calls on Iran to follow through on its repeated promises of assisting the United States in locating Bob. The resolution calls on our government and those of our partners and allies to continue to press Iran for information about Bob at every opportunity.

President Obama and Secretary Kerry have repeatedly expressed their commitment to securing Bob’s release, and Secretary Kerry reiterated that commitment during testimony in the House just last week. President Obama has stated in January, when referencing Bob’s case, he said “we will not rest until their family is whole again.”

For anyone who is watching this debate today, I encourage you to share this information about Bob Levinson, to tweet about Bob Levinson, to use the hashtag #whataboutbob.

For those in south Florida, I encourage you to come to support the Levinson family this Saturday in Coral Springs. We must keep talking about Bob. We must raise the level of awareness about Bob's case.

Our government and the government of our friends and allies must continue to work tirelessly to find Bob and to bring him home. The newly elected Parliament in Iran must know that we will never rest until Bob is home.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. SMITH), who is the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the chairwoman of the Subcommittee on The Middle East and North Africa and chairwoman emeritus of the full committee, ILEANA ROS-LEHTINEN, for her leadership on this issue. I also thank TED DEUTCH, who authored this very, very important resolution. I also thank TOM RICE and ELIOT ENGEL for quickly bringing this legislation to the floor so that Members can vote on it in anticipation of the ninth anniversary of Bob Levinson's being held by the Iranians.

Almost 9 years ago, the Levinson family wrote, in part, on helpboblevinson.com. I quote them, in part. They said:

"If you pray for Bob, we thank you. If you frequently follow the news stories and blogs about Bob's situation, we thank you. If you have spread the word about his story and continue to do so, we thank you. We thank you all from the bottom of our hearts. Please continue to pray for Bob. We would love to have him home for Father's Day."

That was May 25, 2007. That, Mr. Speaker, was almost 9 years ago.

In a letter to Dad, also in May of 2007, Bob Levinson's children wrote:

"Dad . . . your seven children love and miss you very much. We are writing you this letter in the hopes that you will be able to read it wherever you are and know that you are in our thoughts and prayers every minute of every day."

The seven children continued:

"As you know, Mom is our rock. She has encouraged us to take each day one day at a time. While we are sure it will come as no surprise to you, she has amazing strength and has been an inspiration to all seven of us."

"We are all looking forward to your welcome home party. It cannot seem to come soon enough. We pray for you every day and look forward to having you come home to us safe and sound."

The seven Levinson children continued:

"Dad, you are the best dad anyone could ever ask for, and we love and miss you more than words can say. We are so proud of you, and the world now knows what we have known all along—what an intelligent, kind, and gentle man you are."

Again, that letter was from Bob's kids, and it was posted almost 9 years ago. Despite the emotional pain, Christine, his wife, and the entire family tenaciously press for Bob Levinson's freedom.

No one in American history, as Mr. DEUTCH pointed out a moment ago, has been held hostage longer than Bob Levinson. His ordeal and the agony and the heartbreak of his family must end.

When the reports that most of the Americans held by Iran were released but no freedom or even information about Levinson, the family was indeed crushed. In response, the family wrote: "We are happy for the other families. But once again, Bob Levinson has been left behind. We are devastated."

Devastated, yes, but they are absolutely committed to the return of their husband, father, grandfather, relative, and friend. Both the administration and Congress must not rest until this good, decent, and honorable American is returned to his family, friends, and a grateful Nation.

So I again thank Representative TED DEUTCH for sponsoring H. Res. 148 so all of us can express our deepest concern for Bob Levinson and press, as never before, for his return.

Mr. DEUTCH. Mr. Speaker, I yield myself such time as I may consume.

I thank Mr. SMITH for his powerful words and for sharing the very powerful and very moving words of Bob's family.

I ask my colleagues to think about the Levinson family as if they were your own and to use the opportunity that we have here today to send what is the most powerful message that this House can send—these days especially—and that is a message of unity.

Mr. Speaker, with this resolution today, we have an opportunity to recognize that, when a proud American has been missing from his family, has been missing from his community, he is missing from our family and he is missing from our community and our country. Our country is missing Bob Levinson. It is our country that will be made whole when Bob is returned.

I urge my colleagues in the strongest way that I can to stand together with me, with Bob's family, and on behalf of every person in this great country in moving this resolution forward and continuing to work tirelessly to bring Bob home.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I thank my good friend, Mr. DEUTCH, for his eloquent proposals time and time again in our committee, on the House floor, and in every public gathering on behalf of Bob Levinson's fam-

ily. I am sure that the Levinson family feels a great sense of relief that they have such a tireless advocate by their side.

I hope that the administration continues to press the Iranian regime to do more to assist with the Bob Levinson case, and it needs to continue to raise the issue with the Iranian regime at the highest level and at every opportunity.

As Mr. DEUTCH pointed out, the community in south Florida will be rallying in support of Bob and his family this coming Saturday, March 5. It will be held at the Center for the Arts in Coral Springs at 2 in the afternoon.

What a powerful message it would send to the family were the House to adopt this resolution without dissent. It will also send a strong message to the Iranian regime that we will not relent until Bob is home with his family and Iran has honored its commitments and its promises.

I commend, again, my good friend and south Florida colleague, TED DEUTCH, for authoring this resolution, and I am honored to be his Republican lead. I have worked alongside Mr. DEUTCH for so many years in support of Bob and his family.

Bob, a south Florida resident, as you heard, is a constituent of Mr. DEUTCH's district. As I said, the Levinson family is so fortunate to have such a wonderful Representative, because TED has shown unwavering commitment to the family, for Bob in his fight to be reunited with his loving family. I can only say that we all support TED in his mission. We support the Levinson family. We will continue to work with Mr. DEUTCH in this effort.

I urge my colleagues to strongly support this measure, support Bob and the Levinson family in this one more anniversary of being in captivity who knows where.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 148, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The title of the resolution was amended so as to read: "A resolution calling on the Government of Iran to follow through on repeated promises of assistance in the case of Robert Levinson, the longest held United States hostage in our Nation's history."

A motion to reconsider was laid on the table.

#### FEMA DISASTER ASSISTANCE REFORM ACT OF 2015

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1471) to reauthorize the programs and activities of the Federal Emergency Management Agency, as amended.

The Clerk read the title of the bill.  
The text of the bill is as follows:

H.R. 1471

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “FEMA Disaster Assistance Reform Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

## **TITLE I—FEMA REAUTHORIZATION**

Sec. 101. Reauthorization of Federal Emergency Management Agency.

## **TITLE II—COMPREHENSIVE STUDY OF DISASTER COSTS AND LOSSES**

Sec. 201. Comprehensive study of disaster costs and losses.

## **TITLE III—STAFFORD ACT AND OTHER PROGRAMS**

Sec. 301. Reauthorization of urban search and rescue response system.

Sec. 302. Statute of limitations.

Sec. 303. Action plan to improve field transition.

Sec. 304. Simplified procedures.

Sec. 305. Management costs.

Sec. 306. Debts owed to the United States related to disaster assistance.

Sec. 307. Statute of limitations for debts owed to the United States related to disaster assistance.

Sec. 308. Technical assistance and recommendations.

Sec. 309. Local impact.

Sec. 310. Proof of insurance.

Sec. 311. Authorities.

Sec. 312. Responsibilities.

Sec. 313. Earthquake and Tsunami Inter-agency Task Force.

Sec. 314. Mitigation assistance.

Sec. 315. Additional activities.

## **TITLE I—FEMA REAUTHORIZATION**

### **SEC. 101. REAUTHORIZATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY.**

Section 699 of the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295; 6 U.S.C. 811) is amended—

(1) by striking “administration and operations” each place it appears and inserting “management and administration”; and

(2) in paragraph (2), by striking “; and”;

(3) in paragraph (3), by striking the period and inserting “; and”; and

(4) by adding at the end the following:

“(4) for fiscal year 2016, \$946,982,000;

“(5) for fiscal year 2017, \$946,982,000; and

“(6) for fiscal year 2018, \$946,982,000.”.

## **TITLE II—COMPREHENSIVE STUDY OF DISASTER COSTS AND LOSSES**

### **SEC. 201. COMPREHENSIVE STUDY OF DISASTER COSTS AND LOSSES.**

(a) **ESTABLISHMENT.**—Not later than 30 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall commence, through the National Advisory Council, a comprehensive study related to disaster costs and losses (referred to in the subsection as the “Study”).

(b) **ADDITIONAL MEMBERSHIP.**—For the purposes of the Study, as soon as practicable after the date of enactment of this section, the Administrator shall appoint additional qualified members to the National Advisory Council from the following:

(1) Individuals that have the requisite technical knowledge and expertise on issues related to disaster costs and losses.

(2) Representatives of the insurance industry.

(3) Experts in and representatives of the construction and building industry.

(4) Individuals nominated by national organizations representing local governments and personnel.

(5) Academic experts.

(6) Vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for emergency management services.

(7) Representatives of such other stakeholders and interested and affected parties as the Administrator considers appropriate.

(c) **CONSULTATION WITH NONMEMBERS.**—The National Advisory Council shall consult with other relevant agencies and groups that are not represented on the National Advisory Council to consider research, data, findings, recommendations, innovative technologies and developments, including—

(1) entities engaged in federally funded research; and

(2) academic institutions engaged in relevant work and research.

(d) **RECOMMENDATIONS.**—Not later than 120 days after the date of enactment of this Act, the National Advisory Council shall convene to evaluate the following topics and develop recommendations for reducing disaster costs and losses:

(1) **DISASTER LOSSES.**—

(A) **COST TRENDS.**—Trends in disaster costs including loss of life and injury, property damage to individuals, the private sector, and each level of government (State, local and tribal) since the enactment of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), to the extent data is available.

(B) **CONTRIBUTING FACTORS.**—Contributing factors such as shifting demographics and aging infrastructure and their impacts on the trends in disaster losses and costs.

(2) **DISASTER COSTS.**—

(A) **TRENDS IN DECLARATIONS.**—Trends in disaster declarations, including factors contributing to the trends.

(B) **DISASTER ASSISTANCE.**—Disaster assistance available from all Federal sources, including descriptions of programs, eligibility and authorities, where assistance has been used geographically, how quickly the funds are used, how that assistance is coordinated among the various agencies and departments, and recommendations for ways to improve the effectiveness and efficiency of the delivery of such assistance.

(C) **COSTS.**—Disaster costs borne by the private sector and individuals.

(3) **DISASTER ROLES AND RESPONSIBILITY.**—Fundamental principles that should drive national disaster assistance decision making, including the appropriate roles for each level of government, the private sector and individuals.

(4) **REDUCTION OF COSTS AND LOSSES.**—

(A) **MECHANISMS AND INCENTIVES.**—Mechanisms and incentives, including tax incentives, to promote disaster cost reduction, mitigation, and recovery, including cost data, projections for the return on investment, and measures of effectiveness.

(B) **IDENTIFICATION OF CHALLENGES.**—Identify fundamental legal, societal, geographic and technological challenges to implementation.

(5) **LEGISLATIVE PROPOSALS.**—Legislative proposals for implementing the recommendations in the report compiled pursuant to the requirement in section 1111 of the Sandy Recovery Improvement Act of 2013 (Public Law 113-2).

(e) **REPORT TO ADMINISTRATOR AND CONGRESS.**—Not later than 1 year after the date of enactment of this section, the National Advisory Council shall submit a report containing the data, analysis, and recommendations developed under subsection (d) to—

(1) the Administrator of the Federal Emergency Management Agency;

(2) the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) the Committee on Homeland Security and Governmental Affairs of the Senate.

The Administrator shall make the data collected pursuant to this section publicly available on the Agency’s website.

## **TITLE III—STAFFORD ACT AND OTHER PROGRAMS**

### **SEC. 301. REAUTHORIZATION OF URBAN SEARCH AND RESCUE RESPONSE SYSTEM.**

(a) **IN GENERAL.**—Title III of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141 et seq.) is amended by adding at the end the following:

#### **“SEC. 327. NATIONAL URBAN SEARCH AND RESCUE RESPONSE SYSTEM.**

“(a) **DEFINITIONS.**—In this section, the following definitions apply:

“(1) **ADMINISTRATOR.**—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.

“(2) **AGENCY.**—The term ‘Agency’ means the Federal Emergency Management Agency.

“(3) **HAZARD.**—The term ‘hazard’ has the meaning given that term by section 602.

“(4) **NONEMPLOYEE SYSTEM MEMBER.**—The term ‘nonemployee System member’ means a System member not employed by a sponsoring agency or participating agency.

“(5) **PARTICIPATING AGENCY.**—The term ‘participating agency’ means a State or local government, nonprofit organization, or private organization that has executed an agreement with a sponsoring agency to participate in the System.

“(6) **SPONSORING AGENCY.**—The term ‘sponsoring agency’ means a State or local government that is the sponsor of a task force designated by the Administrator to participate in the System.

“(7) **SYSTEM.**—The term ‘System’ means the National Urban Search and Rescue Response System to be administered under this section.

“(8) **SYSTEM MEMBER.**—The term ‘System member’ means an individual who is not a full-time employee of the Federal Government and who serves on a task force or on a System management or other technical team.

“(9) **TASK FORCE.**—The term ‘task force’ means an urban search and rescue team designated by the Administrator to participate in the System.

“(b) **GENERAL AUTHORITY.**—Subject to the requirements of this section, the Administrator shall continue to administer the emergency response system known as the National Urban Search and Rescue Response System.

“(c) **FUNCTIONS.**—In administering the System, the Administrator shall provide for a national network of standardized search and rescue resources to assist States and local governments in responding to hazards.

“(d) **TASK FORCES.**—

“(1) **DESIGNATION.**—The Administrator shall designate task forces to participate in the System. The Administration shall determine the criteria for such participation.

“(2) **SPONSORING AGENCIES.**—Each task force shall have a sponsoring agency. The Administrator shall enter into an agreement with the sponsoring agency with respect to the participation of each task force in the System.

“(3) **COMPOSITION.**—

“(A) **PARTICIPATING AGENCIES.**—A task force may include, at the discretion of the sponsoring agency, one or more participating agencies. The sponsoring agency shall enter into an agreement with each participating agency with respect to the participation of the participating agency on the task force.



“(B) OTHER INDIVIDUALS.—A task force may also include, at the discretion of the sponsoring agency, other individuals not otherwise associated with the sponsoring agency or a participating agency. The sponsoring agency of a task force may enter into a separate agreement with each such individual with respect to the participation of the individual on the task force.

“(e) MANAGEMENT AND TECHNICAL TEAMS.—The Administrator shall maintain such management teams and other technical teams as the Administrator determines are necessary to administer the System.

“(f) APPOINTMENT OF SYSTEM MEMBERS INTO FEDERAL SERVICE.—

“(1) IN GENERAL.—The Administrator may appoint a System member into Federal service for a period of service to provide for the participation of the System member in exercises, preincident staging, major disaster and emergency response activities, and training events sponsored or sanctioned by the Administrator.

“(2) NONAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Administrator may make appointments under paragraph (1) without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

“(3) RELATIONSHIP TO OTHER AUTHORITIES.—The authority of the Administrator to make appointments under this subsection shall not affect any other authority of the Administrator under this Act.

“(4) LIMITATION.—A System member who is appointed into Federal service under paragraph (1) shall not be considered an employee of the United States for purposes other than those specifically set forth in this section.

“(g) COMPENSATION.—

“(1) PAY OF SYSTEM MEMBERS.—Subject to such terms and conditions as the Administrator may impose by regulation, the Administrator shall make payments to the sponsoring agency of a task force—

“(A) to reimburse each employer of a System member on the task force for compensation paid by the employer to the System member for any period during which the System member is appointed into Federal service under subsection (f)(1); and

“(B) to make payments directly to a non-employee System member on the task force for any period during which the non-employee System member is appointed into Federal service under subsection (f)(1).

“(2) REIMBURSEMENT FOR EMPLOYEES FILLING POSITIONS OF SYSTEM MEMBERS.—

“(A) IN GENERAL.—Subject to such terms and conditions as the Administrator may impose by regulation, the Administrator shall make payments to the sponsoring agency of a task force to reimburse each employer of a System member on the task force for compensation paid by the employer to an employee filling a position normally filled by the System member for any period during which the System member is appointed into Federal service under subsection (f)(1).

“(B) LIMITATION.—Costs incurred by an employer shall be eligible for reimbursement under subparagraph (A) only to the extent that the costs are in excess of the costs that would have been incurred by the employer had the System member not been appointed into Federal service under subsection (f)(1).

“(3) METHOD OF PAYMENT.—A System member shall not be entitled to pay directly from the Agency for a period during which the System member is appointed into Federal service under subsection (f)(1).

“(h) PERSONAL INJURY, ILLNESS, DISABILITY, OR DEATH.—

“(1) IN GENERAL.—A System member who is appointed into Federal service under subsection (f)(1) and who suffers personal injury, illness, disability, or death as a result of a

personal injury sustained while acting in the scope of such appointment shall, for the purposes of subchapter I of chapter 81 of title 5, United States Code, be treated as though the member were an employee (as defined by section 8101 of that title) who had sustained the injury in the performance of duty.

“(2) ELECTION OF BENEFITS.—

“(A) IN GENERAL.—If a System member (or, in the case of the death of the System member, the System member's dependent) is entitled—

“(i) under paragraph (1) to receive benefits under subchapter I of chapter 81 of title 5, United States Code, by reason of personal injury, illness, disability, or death, and

“(ii) to receive benefits from a State or local government by reason of the same personal injury, illness, disability, or death, the System member or dependent shall elect to receive either the benefits referred to in clause (i) or (ii).

“(B) DEADLINE.—A System member or dependent shall make an election of benefits under subparagraph (A) not later than 1 year after the date of the personal injury, illness, disability, or death that is the reason for the benefits or until such later date as the Secretary of Labor may allow for reasonable cause shown.

“(C) EFFECT OF ELECTION.—An election of benefits made under this paragraph is irrevocable unless otherwise provided by law.

“(3) REIMBURSEMENT FOR STATE OR LOCAL BENEFITS.—Subject to such terms and conditions as the Administrator may impose by regulation, in the event that a System member or dependent elects benefits from a State or local government under paragraph (2)(A), the Administrator shall reimburse the State or local government for the value of those benefits.

“(4) PUBLIC SAFETY OFFICER CLAIMS.—Nothing in this subsection shall be construed to bar any claim by, or with respect to, any System member who is a ‘public safety officer’, as defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968, for any benefits authorized pursuant to section 1001(a)(4) of that Act.

“(5) TECHNICAL AMENDMENT.—Section 1086(d) of the National Defense Authorization Act for Fiscal Year 2013 is amended as follows (which amendments shall take effect as if enacted on January 2, 2013)—

“(A) in paragraph (1)—

“(i) by striking ‘paragraph (1)’ and inserting ‘paragraph (2)’; and

“(ii) in subparagraph (B) by striking ‘filed or’ and inserting ‘filed (consistent with pre-existing effective dates) or’; and

“(B) in paragraph (2)(A), by striking ‘amendments made by this Act’ and inserting ‘amendments made to section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b) by this Act’.

“(i) LIABILITY.—A System member appointed into Federal service under subsection (f)(1), while acting within the scope of the appointment, is deemed an employee of the Federal Government under section 1346(b) of title 28, United States Code, and chapter 171 of that title, relating to tort claims procedure.

“(j) EMPLOYMENT AND REEMPLOYMENT RIGHTS.—With respect to a System member who is not a regular full-time employee of a sponsoring agency or participating agency, the following terms and conditions apply:

“(1) SERVICE.—Service as a System member is deemed ‘service in the uniformed services’ for purposes of chapter 43 of title 38, United States Code, relating to employment and reemployment rights of individuals who have performed service in the uniformed services (regardless of whether the individual receives compensation for such participation). All rights and obligations of such

persons and procedures for assistance, enforcement, and investigation shall be as provided for in such chapter.

“(2) PRECLUSION.—Preclusion of giving notice of service by necessity of appointment under this section is deemed preclusion by ‘military necessity’ for purposes of section 4312(b) of title 38, United States Code, pertaining to giving notice of absence from a position of employment. A determination of such necessity shall be made by the Administrator and shall not be subject to judicial review.

“(k) LICENSES AND PERMITS.—If a System member holds a valid license, certificate, or other permit issued by any State or other governmental jurisdiction evidencing the member's qualifications in any professional, mechanical, or other skill or type of assistance required by the System, the System member is deemed to be performing a Federal activity when rendering aid involving such skill or assistance during a period of appointment into Federal service under subsection (f)(1).

“(l) ADVISORY COMMITTEE.—

“(1) IN GENERAL.—The Administrator shall establish and maintain an advisory committee to provide expert recommendations to the Administrator in order to assist the Administrator in administering the System.

“(2) COMPOSITION.—The advisory committee shall be composed of members from geographically diverse areas, and shall include—

“(A) the chief officer or senior executive from at least three sponsoring agencies;

“(B) the senior emergency manager from at least two States that include sponsoring agencies; and

“(C) at least one representative recommended by the leaders of the task forces.

“(3) INAPPLICABILITY OF TERMINATION REQUIREMENT.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory committee under this subsection.

“(m) PREPAREDNESS COOPERATIVE AGREEMENTS.—

“(1) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Administrator shall enter into an annual preparedness cooperative agreement with each sponsoring agency. Amounts made available to a sponsoring agency under such a preparedness cooperative agreement shall be for the following purposes:

“(A) Training and exercises, including training and exercises with other Federal, State, and local government response entities.

“(B) Acquisition and maintenance of equipment, including interoperable communications and personal protective equipment.

“(C) Medical monitoring required for responder safety and health in anticipation of and following a major disaster, emergency, or other hazard, as determined by the Administrator.

“(2) AVAILABILITY OF APPROPRIATIONS.—Notwithstanding section 1552(b) of title 31, United States Code, amounts made available for cooperative agreements under this subsection that are not expended shall be deposited in an agency account and shall remain available for such agreements without fiscal year limitation.

“(n) RESPONSE COOPERATIVE AGREEMENTS.—The Administrator shall enter into a response cooperative agreement with each sponsoring agency, as appropriate, under which the Administrator agrees to reimburse the sponsoring agency for costs incurred by the sponsoring agency in responding to a major disaster or emergency.

“(o) OBLIGATIONS.—The Administrator may incur all necessary obligations consistent with this section in order to ensure the effectiveness of the System.

“(p) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the System and the provisions of this section \$50,000,000 for each of fiscal years 2016, 2017, and 2018.

“(2) ADMINISTRATIVE EXPENSES.—The Administrator may use not to exceed 6 percent of the funds appropriated for a fiscal year pursuant to paragraph (1) for salaries, expenses, and other administrative costs incurred by the Administrator in carrying out this section.”.

(b) CONFORMING AMENDMENTS.—

(1) APPLICABILITY OF TITLE 5, UNITED STATES CODE.—Section 8101(1) of title 5, United States Code, is amended—

(A) in subparagraph (D) by striking “and” at the end;

(B) by moving subparagraph (F) to appear after subparagraph (E);

(C) in subparagraph (F)—

(i) by striking “United States Code.”; and

(ii) by adding “and” at the end; and

(D) by inserting after subparagraph (F) the following:

“(G) an individual who is a System member of the National Urban Search and Rescue Response System during a period of appointment into Federal service pursuant to section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;”.

(2) INCLUSION AS PART OF UNIFORMED SERVICES FOR PURPOSES OF USERRA.—Section 4303 of title 38, United States Code, is amended—

(A) in paragraph (13) by inserting “, a period for which a System member of the National Urban Search and Rescue Response System is absent from a position of employment due to an appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act” before “, and a period”; and

(B) in paragraph (16) by inserting after “Public Health Service,” the following: “System members of the National Urban Search and Rescue Response System during a period of appointment into Federal service under section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.”.

**SEC. 302. STATUTE OF LIMITATIONS.**

(a) IN GENERAL.—Section 705(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205) is amended—

(1) by striking “Except” and inserting “Notwithstanding section 3716(e) of title 31, United States Code, and except”; and

(2) by striking “report for the disaster or emergency” and inserting “report for project completion as certified by the grantee”.

(b) APPLICABILITY.—

(1) IN GENERAL.—With respect to disaster or emergency assistance provided to a State or local government on or after January 1, 2004—

(A) no administrative action may be taken to recover a payment of such assistance after the date of enactment of this Act if the action is prohibited under section 705(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205(a)(1)), as amended by subsection (a); and

(B) any administrative action to recover a payment of such assistance that is pending on such date of enactment shall be terminated if the action is prohibited under section 705(a)(1) of that Act, as amended by subsection (a).

(2) LIMITATION.—This section, including the amendments made by this section, may not be construed to invalidate or otherwise affect any administration action completed before the date of enactment of this Act.

**SEC. 303. ACTION PLAN TO IMPROVE FIELD TRANSITION.**

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the

Administrator of the Federal Emergency Management Agency shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding the plans the agency will undertake to provide the following:

(1) Consistent guidance to applicants on FEMA disaster funding procedures during the response to an emergency.

(2) Appropriate record maintenance and transfer of documents to new teams during staff transitions.

(3) Accurate assistance to applicants and grantees to ease the administrative burden throughout the process of obtaining and monitoring assistance.

(b) MAINTAINING RECORDS.—The report shall also include a plan for implementing operating procedures and document retention requirements to ensure the maintenance of appropriate records throughout the lifecycle of the disaster.

(c) NEW TECHNOLOGIES.—Finally, the report shall identify new technologies that further aid the disaster workforce in partnering with State, local, and tribal governments and private nonprofits in the wake of a disaster or emergency to educate, assist, and inform applicants on the status of their disaster assistance applications and projects.

**SEC. 304. SIMPLIFIED PROCEDURES.**

Section 422(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189) is amended—

(1) by striking “\$35,000” the first place it appears and inserting “\$1,000,000”; and

(2) by striking the second sentence.

**SEC. 305. MANAGEMENT COSTS.**

Section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165b) is amended—

(1) in subsection (a) by striking “any administrative expense, and any other expense not directly chargeable to” and inserting “direct administrative cost, and any other administrative expense associated with”; and

(2) in subsection (b)—

(A) by striking “Notwithstanding” and inserting the following:

“(1) IN GENERAL.—Notwithstanding”.

(B) by striking “establish” and inserting the following: “implement the following”; and

(C) by adding at the end the following:

“(2) SPECIFIC MANAGEMENT COSTS.—The Administrator shall provide the following percentage rates, in addition to the eligible project costs, to cover direct and indirect costs of administering the following programs:

“(A) HAZARD MITIGATION.—A grantee under section 404 may be reimbursed not more than 15 percent of the total amount of the grant award under such section of which not more than 10 percent may be used by the grantee and 5 percent by the subgrantee for such costs.

“(B) PUBLIC ASSISTANCE.—A grantee under sections 403, 406, 407, and 502, may be reimbursed not more than 10 percent of the total award amount under such sections, of which not more than 6 percent may be used by the grantee and 4 percent by the subgrantee for such costs.”.

**SEC. 306. DEBTS OWED TO THE UNITED STATES RELATED TO DISASTER ASSISTANCE.**

(a) DEFINITION.—In this section, the term “covered assistance” means assistance provided—

(1) under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174); and

(2) in relation to a major disaster or emergency declared by the President under sec-

tion 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170; 42 U.S.C. 5191) on or after October 30, 2012.

(b) WAIVER AUTHORITY.—Notwithstanding section 3716(e) of title 31, United States Code, the Administrator of the Federal Emergency Management Agency—

(1) subject to paragraph (2), may waive a debt owed to the United States related to covered assistance provided to an individual or household if—

(A) the covered assistance was distributed based on an error by the Federal Emergency Management Agency;

(B) there was no fault on behalf of the debtor; and

(C) the collection of the debt would be against equity and good conscience; and

(2) may not waive a debt under paragraph (1) if the debt involves fraud, the presentation of a false claim, or misrepresentation by the debtor or any party having an interest in the claim.

(c) MONITORING OF COVERED ASSISTANCE DISTRIBUTED BASED ON ERROR.—

(1) IN GENERAL.—The Inspector General shall monitor the distribution of covered assistance to individuals and households to determine the percentage of such assistance distributed based on an error.

(2) REMOVAL OF WAIVER AUTHORITY BASED ON EXCESSIVE ERROR RATE.—If the Inspector General determines, with respect to any 12-month period, that the amount of covered assistance distributed based on an error by the Federal Emergency Management Agency exceeds 4 percent of the total amount of covered assistance distributed—

(A) the Inspector General shall notify the Administrator and publish the determination in the Federal Register; and

(B) with respect to any major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) after the date of the determination, the authority of the Administrator to waive debt under subsection (b) shall no longer be effective.

**SEC. 307. STATUTE OF LIMITATIONS FOR DEBTS OWED TO THE UNITED STATES RELATED TO DISASTER ASSISTANCE.**

Notwithstanding section 3716(g) of title 31, United States Code, and unless there is evidence of civil or criminal fraud, the Administrator, on behalf of the President, shall not initiate new administrative action in any forum to recover—

(1) payments made to an individual or household under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174) more than 3 years after the last date on which such payments were made; or

(2) funds owed by an individual or household for assistance provided under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174) more than 3 years after the last date on which such funds were determined to be owed.

**SEC. 308. TECHNICAL ASSISTANCE AND RECOMMENDATIONS.**

(a) TECHNICAL ASSISTANCE.—The Administrator of the Federal Emergency Management Agency shall provide technical assistance to a common interest community that provides essential services of a governmental nature on actions that a common interest community may take in order to be eligible to receive reimbursement from a grantee that receives funds from the Agency for certain activities performed after an event that results in a disaster declaration.

(b) RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the Administrator shall provide recommendations to the House Committee on

Transportation and Infrastructure and the Senate Committee on Homeland Security and Governmental Affairs on how common areas of condominiums and housing cooperatives may be eligible for assistance, including any progress the Agency has made in its explorations of this issue and the potential challenges identified since the Agency issued its report on May 22, 2014.

#### SEC. 309. LOCAL IMPACT.

In making recommendations to the President regarding a major disaster declaration, the Administrator shall give greater weight and consideration to severe localized impact. Further, the Administrator shall make corresponding adjustments to the Agency's policies and regulations. Not later than 1 year after the date of enactment of this section, the Administrator shall report to the Committees on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the changes made to regulations and policies and the number of declarations that have been declared based on the new criteria.

#### SEC. 310. PROOF OF INSURANCE.

A State shall be deemed to have proven that an applicant has satisfied the purchase of insurance requirements under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq.) when an encumbrance requiring the purchase and maintenance of insurance has been placed on the title of the property receiving the benefit of the grant or assistance. This section in no way removes or reduces the insurance requirements on an applicant under the Act and in no way limits the requirement that assistance provided under the Stafford Act be reduced or eliminated when the requirements are not met.

#### SEC. 311. AUTHORITIES.

The Federal Emergency Management Agency shall not, pursuant to consultation with another Federal agency or otherwise, expand its statutory authorities as they relate to floodplain management or floodplain mapping unless the requirement to do so is explicitly and specifically stated in statute, nor shall the Agency's authorities be construed to impute the privately-funded actions of private parties on private land to such Agency for the purpose of extending the requirements of any Federal law applicable to Federal agencies to such actions.

#### SEC. 312. RESPONSIBILITIES.

The Administrator of the Federal Emergency Management Agency shall be responsible for the Nation's efforts to reduce the loss of life and property and to protect the Nation from an earthquake, tsunami or a combined earthquake and tsunami event by developing the ability to prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to such an event.

#### SEC. 313. EARTHQUAKE AND TSUNAMI INTER-AGENCY TASK FORCE.

(a) IN GENERAL.—The President shall establish a Federal Interagency Task Force for the purpose of developing a comprehensive strategy and recommendations on how the Nation should prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to an earthquake, tsunami or a combined earthquake and tsunami event in the Cascadia Subduction Zone, including identifying potential administrative or legislative changes required to implement the strategy, the funding required to implement the strategy and recommendations, and the priority in which the strategy should be implemented.

(b) CHAIRPERSON.—The Administrator of the Federal Emergency Management Agency, or his designee, shall serve as the chairperson of the Task Force.

(c) MEMBERSHIP.—The membership of the Task Force shall include a cross section of subject matter experts representing the following:

(1) Relevant Federal agencies.

(2) The States of Oregon, Washington, and California.

(3) Indian tribes, local governments, and private sector representatives that may be impacted by a mega-thrust earthquake, tsunami or a combined earthquake and tsunami event in the Cascadia Subduction Zone.

(4) Universities, academia and research institutions with expertise in topics relevant to the work of the Task Force.

(d) DETAILED EMPLOYEES.—Members of the Task Force may detail employees to assist the Administrator, or his designee, in fulfilling the responsibilities of the Task Force.

(e) CASCADIA SUBDUCTION ZONE.—The term “Cascadia Subduction Zone” means the approximately 684 miles long landward-dipping fault that separates the Juan de Fuca and North America plates and that stretches along a portion of the western coast of the United States beginning off Cape Mendocino, California, along the State of Oregon, the State of Washington, to Northern Vancouver Island, British Columbia.

(f) STRATEGY.—The comprehensive strategy, which may build upon existing plans, studies, or other resources, shall include the following:

(1) Define how Federal agencies will coordinate to develop the ability to prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to the impacts of a mega-thrust earthquake, tsunami, or a combined earthquake and tsunami event in the Cascadia Subduction Zone.

(2) Ensure collaboration between the Department of Transportation, the Department of Energy, the United States Coast Guard, the United States Army Corps of Engineers, and other Federal agencies as appropriate to complete a needs assessment of Federal facilities in need of hardening for an event and develop a strategic plan to mitigate and retrofit Federal, State, tribal, and local critical assets for freight, energy, and transit purposes to withstand an event and to help save lives during and immediately after an event.

(3) Assist State, tribal, and local governments in developing and implementing a coordinated and comprehensive plan to prioritize Federal, State, tribal, local, and private investments and activities to develop the ability to prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to the impacts of a mega-thrust earthquake, tsunami, or a combined earthquake and tsunami event in the Cascadia Subduction Zone, and to link to any existing State-wide mitigation plan, including examining the feasibility of the public and private sector and individuals to acquire earthquake insurance.

(4) Identify existing funding opportunities across Federal agencies and other sources to implement the comprehensive strategy and any recommendations made by the Task Force and make recommendations for new funding opportunities.

(5) Identify barriers to obtaining funding and implementing the comprehensive strategy and to develop recommendations on how to remove such barriers.

(6) Collaborate with and assist State, tribal, and local governments in developing recommendations for cost-effective mitigation alternatives for aging State, tribal, or locally owned critical infrastructure.

(7) Assist State, tribal, and local governments with developing a recovery plan prior to an earthquake, tsunami, or combined earthquake and tsunami event in the Cascadia Subduction Zone as to how State,

tribal, and local governments may want to rebuild after the event;

(8) Identify steps taken to date to develop an onshore and offshore earthquake early warning system and define the purpose and scope of an onshore and offshore earthquake early warning system.

(9) Evaluate types of offshore earthquake early warning systems and provide recommendations and a cost estimate for an earthquake early warning system appropriate for the Cascadia Subduction Zone.

(10) Make recommendations about how an earthquake early warning system should operate, including whether and how a system should interface with the private sector.

(11) Define appropriate roles and responsibilities for Federal, State, local, and tribal governments, including who should operate and maintain an earthquake early warning system, the cost of a system, and possible funding sources for a system.

(12) Develop a plan on how to integrate an earthquake early warning system into existing and new public alert warning systems and technologies, including mobile systems.

(g) COLLABORATION.—The Task Force shall work simultaneously and collaboratively with the National Academies.

(h) NATIONAL ACADEMIES.—The Task Force shall enter into an agreement with the National Academies under which the National Academies shall develop recommendations for a Federal research strategy to advance scientific understanding of a Cascadia Subduction Zone earthquake and resulting tsunami preparedness, including the following:

(1) Geologic conditions, ground motions, and tsunami hazard.

(2) Implications of an effective automated early warning system.

(3) Effects of mega-earthquake and tsunami events on the built and natural environment.

(4) Social and behavioral factors for effective disaster preparedness and response.

(5) Cost-effective mitigation alternatives for legacy and aging infrastructure.

(6) Strategic planning for freight, energy, and transit network robustness.

(7) Tools that help communities invest its resources for the greatest benefit.

(8) Any other topics identified as necessary by the Task Force or the National Academies.

(i) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report of the Task Force that provides the following:

(1) The comprehensive strategy identified in subsection (f).

(2) Recommendations on administrative actions that may be taken to further the strategy.

(3) Recommendations for legislative changes that may be necessary to further the strategy.

(4) Recommendations on funding necessary to carry out the strategy.

#### SEC. 314. MITIGATION ASSISTANCE.

(a) IN GENERAL.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) HAZARD MITIGATION ASSISTANCE.—Whether or not a major disaster is declared, the President may provide hazard mitigation assistance in accordance with section 404 in

any area affected by a fire for which assistance was provided under this section.”.

(b) CONFORMING AMENDMENTS.—The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended—

(1) in section 404(a) (42 U.S.C. 5170c(a))—

(A) by inserting before the first period “, or any area affected by a fire for which assistance was provided under section 420”; and

(B) in the third sentence by inserting “or event under section 420” after “major disaster” each place it appears; and

(2) in section 322(e)(1) (42 U.S.C. 5165(e)(1)), by inserting “or event under section 420” after “major disaster” each place it appears.

#### SEC. 315. ADDITIONAL ACTIVITIES.

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by adding at the end the following:

“(f) USE OF ASSISTANCE.—Recipients of hazard mitigation assistance provided under this section and section 203 may use the assistance to conduct the following activities to help reduce the risk of future damage, hardship, loss, or suffering in any area affected by—

“(1) a wildfire, including—

“(A) reseeding ground cover with quick-growing or native species;

“(B) mulching with straw or chipped wood;

“(C) constructing straw, rock, or log dams in small tributaries to prevent flooding;

“(D) placing logs and other erosion barriers to catch sediment on hill slopes;

“(E) installing debris traps to modify road and trail drainage mechanisms;

“(F) modifying or removing culverts to allow drainage to flow freely;

“(G) adding drainage dips and constructing emergency spillways to keep roads and bridges from washing out during floods;

“(H) planting grass to prevent the spread of noxious weeds;

“(I) installing warning signs;

“(J) establishing defensible space measures; and

“(K) reducing hazardous fuels; and

“(2) earthquake hazards, including—

“(A) improvements to regional seismic networks in support of building a capability for earthquake early warning;

“(B) improvements to geodetic networks in support of building a capability for earthquake early warning; or

“(C) seismometers, GPS receivers, and associated infrastructure in support of building a capability for earthquake early warning.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

#### GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1471, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. I yield myself such time as I may consume.

Mr. Speaker, I thank Chairman SHUSTER for his tremendous support and leadership on this bill. Few Members of Congress have had a greater impact on reforming our disaster programs since

Hurricane Katrina than Chairman SHUSTER. This bill represents another important step in that effort, and I greatly appreciate the chairman's help.

I also want to thank Ranking Member DEFAZIO and Ranking Member CARSON for their bipartisan support of the bill.

The FEMA Disaster Assistance Reform Act has two primary goals: to help save lives and to save taxpayer money.

□ 1715

The bill helps save lives by fixing a longstanding problem that hinders the deployment of critical search and rescue teams between States. These reforms will help ensure our constituents receive the help they need when disaster strikes.

Additionally, this bill helps save money by improving the cost-effectiveness of FEMA's existing disaster assistance programs. For example, there are provisions that will speed up reconstruction and lower administrative costs. The bill also saves money by encouraging smart recovery practices and mitigation to lower the costs of the next disaster.

The bill commissions a comprehensive review of the growing disaster losses the Nation has experienced over the past decades. Experts estimated over \$1 trillion of disaster losses have occurred in North America since 1980. FEMA alone has spent almost \$200 billion on over 1300 major Presidential disaster declarations since 1989. These numbers are going up, and we should try to find ways to bring those costs down over time.

It has been over 20 years since we have had a comprehensive look at disaster spending. It is time for a big picture assessment of what is driving these costs and to review if we, as a Nation, are responding in the most appropriate and cost-effective way.

Right after I became a Member of Congress, my district was hit hard by Hurricane Irene and Tropical Storm Lee. I saw homes destroyed, lives and livelihoods upset. Disaster relief is critical at times like these, and people need help to rebuild their lives and rebuild their communities.

As I witnessed the recovery, I was amazed that folks were rebuilding back in the very same place, in the very same way, leaving themselves just as vulnerable to the next storm. We have to be compassionate and responsive to our citizens, but we also have a duty to be a good steward of the taxpayer dollars.

I am committed to establishing this study to see if we can tackle these tough issues and find solutions that are driven by facts and data rather than the emotion that inevitably follows a disaster. These reforms are one of my top priorities this Congress.

At the end of the day, the purpose of this bill is to ensure help will be there when disaster strikes and our constituents need that help the most.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
Washington, DC, February 26, 2016.

Hon. BILL SHUSTER,  
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: I am writing to you concerning the jurisdictional interest of the Committee on Homeland Security in H.R. 1471, the “FEMA Disaster Assistance Act of 2015.” The bill contains provisions that fall within the jurisdiction of the Committee on Homeland Security.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Homeland Security will not assert its jurisdictional claim over this bill by seeking a sequential referral. The Committee takes this action with the mutual understanding that by foregoing consideration of H.R. 1471 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction.

This waiver is also given with the understanding that the Committee on Homeland Security expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this or any similar legislation, and requests your support for such a request.

I would appreciate your response to this letter confirming this understanding with respect to H.R. 1471, and ask that a copy of this letter and your response be included in the Congressional Record during consideration of this bill on the House floor.

Sincerely,

MICHAEL T. MCCAUL,  
Chairman,  
Committee on Homeland Security.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,  
Washington, DC, February 26, 2016.

Hon. MICHAEL T. MCCAUL,  
Chairman, Committee on Homeland Security,  
Washington, DC.

DEAR CHAIRMAN MCCAUL: Thank you for your letter regarding H.R. 1471, the FEMA Disaster Assistance Act of 2015. I appreciate your willingness to support expediting the consideration of this legislation on the House Floor.

I acknowledge that by waiving consideration of this bill, the Committee on Homeland Security does not waive any future valid jurisdictional claim to provisions in this or similar legislation. In addition, should a conference on the bill be necessary, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving provisions within this legislation on which the Committee on Homeland Security has a valid jurisdictional claim.

I will include our letters on H.R. 1471 in the Congressional Record during House Floor consideration of the bill. I appreciate your cooperation regarding this legislation, and I look forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
Washington, DC, February 25, 2016.

Hon. BILL SHUSTER,  
Chairman, Committee on Transportation and  
Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: I am writing with respect to H.R. 1471, the "FEMA Disaster Assistance Reform Act," which was referred to the Committee on Transportation and Infrastructure.

As you know, H.R. 1471 contains provisions that fall within the Rule X jurisdiction of the Committee on the Judiciary. As a result of your having consulted with the Committee and in order to expedite the House's consideration of H.R. 1471, the Committee on the Judiciary will not assert its jurisdictional claim over this bill. However, this is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on the Judiciary with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 1471, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 1471.

Sincerely,

BOB GOODLATTE,  
Chairman.

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE,  
Washington, DC, February 26, 2016.

Hon. BOB GOODLATTE,  
Chairman, Committee on the Judiciary,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1471, the FEMA Disaster Assistance Act of 2015. I appreciate your willingness to support expediting the consideration of this legislation on the House Floor.

I acknowledge that by waiving consideration of this bill, the Committee on the Judiciary does not waive any future valid jurisdictional claim to provisions in this or similar legislation. In addition, should a conference on the bill be necessary, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving provisions within this legislation on which the Committee on the Judiciary has a valid jurisdictional claim.

I will include our letters on H.R. 1471 in the Congressional Record during House Floor consideration of the bill. I appreciate your cooperation regarding this legislation, and I look forward to working with the Committee on the Judiciary as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,  
Chairman.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the bipartisan measure before us today. H.R. 1471, the FEMA Disaster Assistance Reform Act of 2015, as amended, contains several provisions important to State and local governments and emergency managers. I will only highlight a few of them. I also want to acknowledge Chairman BARLETTA and my good friend, Ranking Member DEFAZIO.

Mr. Speaker, in my opinion, the most important aspect of this bill is that it

clarifies compensation and liability issues for urban search and rescue team members. These members provide critical services and put themselves in harm's way to help others involved in a disaster.

In Indianapolis, my city, our own urban search and rescue team, which consists of firefighters, paramedics, civilians, and others responded to Hurricane Sandy. They did so despite the uncertainties that they would be covered for any injuries. These protections, Mr. Speaker, are long overdue. Team members can now rest assured that they will be taken care of when activated for Federal service if they are injured.

Another important provision grows out of the individual States' and local governments' need to know that they can rely on FEMA's decisions and reimbursement amounts. Local governments make major decisions during the disaster recovery phase in reliance on FEMA's initial approval. There comes a time, Mr. Speaker, when FEMA should not be able to reverse its initial decisions or award amounts. Statute of limitations protections for individuals, States, and local governments will provide peace of mind and certainty needed to go forward with the recovery process.

Climate change, Mr. Speaker, is causing more extreme weather patterns. So in order for us to become more resilient, we must encourage more local governments, communities to undertake mitigation measures. Some communities may forgo mitigation actions because they do not have the capacity to administer the funds. Ensuring that local governments will be reimbursed for management costs should help us all obtain more resilient communities.

Finally, Mr. Speaker, our subcommittee has embarked on discussions related to the trends and causes of rising disaster costs and losses. In furtherance of this discussion, the bill requires FEMA's National Advisory Council to study the issue and make recommendations to Congress and address causes and trends. Specifically, the bill requires the Council to examine mechanisms and incentives to promote mitigation and to make recommendations regarding the same.

The last few years, Mr. Speaker, I have introduced a bill to reauthorize the disaster mitigation program. Mr. Speaker, mitigation saves taxpayer funds over the long haul. I look forward to any recommendations from the National Advisory Council on how we can strengthen this available and very effective program.

I want to thank Chairman BARLETTA again and Ranking Member DEFAZIO for their leadership on this very important measure. As an original cosponsor of this measure, Mr. Speaker, I urge my colleagues to join us in supporting H.R. 1471.

Mr. Speaker, I reserve the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield 3 minutes to the gentleman from Illi-

nois (Mr. RODNEY DAVIS), who knows very well how important these disaster programs are when disasters have struck his State of Illinois.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise in strong support of this bill.

FEMA's disaster declaration process is broken. You don't need to look any further than the State of Illinois to see how FEMA's aid formula is failing the hardworking families of this country because it simply doesn't put all communities on a level playing field.

In 2012, Harrisburg, Illinois, was denied Federal assistance following tornadoes that swept across the Midwest, while Missouri and Kentucky received it. Recently, towns like Gifford and Washington in central Illinois were denied public assistance as well.

FEMA currently takes into account several factors when determining the need for public and individual assistance. However, there currently is no standard to determine which factor is more important than another, which leads to highly subjective and uncertain processes that leave States and communities in limbo for weeks as their application is considered.

By working with this committee and this subcommittee that Chairman BARLETTA chairs, we were able to include language that was based on a bill that I introduced with many of my colleagues that requires the administrator of FEMA, when making recommendations to the President regarding a major disaster declaration, to give greater weight and consideration to localized impact.

Consideration of this important legislation is timely for my home State of Illinois. Just days ago, Illinois Governor Bruce Rauner submitted a request to President Obama asking him to declare a major disaster for Illinois following the extensive holiday flooding that we saw right at about the new year.

Much of this damage happened in my home county of Christian County, where four people tragically lost their lives after encountering flood waters. Sadly, two of the deceased, Brandon Mann and Devan Everett, were from my hometown of Taylorville. Certainly no amount of resources can compensate for the loss of human life when disaster strikes, and yet these communities still need to rebuild. Preliminary damage assessments determined that communities in Illinois experienced \$15 million in damages. Unfortunately, that doesn't meet FEMA's \$18.1 million threshold.

Mr. Speaker, it is just not right that States like Illinois, where a significant portion of the population is concentrated in a single area, can be denied disaster relief because of an arbitrary formula developed by bureaucrats in concrete buildings right here in Washington, D.C. That is what makes this bill and my provision so important. It levels the playing field. It tells rural America that, when disaster

strikes, we are going to look out for you, too.

Mr. Speaker, I come from rural America. I know these people. These are not the type of people who expect help, who expect Washington to solve their problems; but we as Members of Congress and as Americans have an obligation to commit that we will be there for them when they need us and that we won't let arbitrary formulas prevent that help from being delivered.

We need this bill. We need these reforms. It will make a difference. Thank you again to Chairman BARLETTA, Chairman SHUSTER, and the ranking members.

Mr. CARSON of Indiana. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO), my good friend and ranking member.

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman, the ranking member of the subcommittee, for yielding, and I thank him for his excellent work on this bill, as I do the subcommittee chair and the full committee chairman.

This is a bill very much in the tradition of the Committee on Transportation and Infrastructure where, in fact, we have come together and put together a bipartisan proposal to reauthorize the Federal Emergency Management Agency, a critical, critical agency, as you have heard from some of the previous speakers.

In particular, in the West, we have some issues regarding wildfires. We had the worst wildfire season on record last year: 10 million acres burned; half the Forest Service budget went to fighting these wildfires. The perversity of that is that, when astounding amounts of money like that are required from the Forest Service, the Forest Service has to reduce other budgets, including preventative activities, particularly fuel reduction and other activities that would prevent future fires. So we are on this endless cycle that should end.

Unfortunately, this bill doesn't end that. I hope that happens later in the Congress. There is legislation pending in both the House and the Senate that we have come close to moving that would deal with declaring that catastrophic fires are disasters, just like tornadoes, hurricanes, earthquakes, floods, et cetera.

In this bill, we did make some progress. It makes State and private lands eligible for hazard mitigation assistance after wildfires. It is a commonsense solution to save on future disaster costs and losses. The bill also encourages States to direct the funds to the areas that experienced the wildfire.

I thank our colleague, the gentleman from California (Mr. RUZ), for his extraordinary leadership on this issue. You have a fire, and particularly in California and elsewhere you have potential for catastrophic mudslides, future catastrophes, putting the public at risk. Hazard mitigation assistance on wildfires on State and private lands,

encouraging wildfire mitigation, such as reducing hazardous fuels, and re-seeding ground cover will help reduce the costs of future disasters.

Further, there are other provisions in this legislation that deal with the potential for catastrophic earthquake and tsunami. The Cascadia subduction zone off the coast of Oregon, northern California has generated at least 12 major, great earthquakes, magnitude 8 to 9, yet we are woefully unprepared in terms of any sorts of early detection.

We have just begun the rudiments with some Federal assistance of a land-based early detection system. We need an ocean-based early detection system, such as the Japanese have deployed. Early warning of quakes and tsunamis will save many lives on the coast of Oregon, Washington, and northern California. It will also save tremendous amounts in terms of infrastructure in the inland and more distant areas where they would have ample warning to shut down transit systems, get people off bridges, stop elevators in high-rise buildings, and otherwise accommodate the public, preventing more loss of life and also more catastrophic problems.

Again, Japan is far, far ahead of us. They can and have stopped their high-speed rail trains when they have distant warning of a coming tremor. Even though the tremors move quickly through the Earth, there is enough time to slow or stop those trains. They have had time to evacuate the coastal areas. Although, unfortunately, in the last quake, when they reestimated the size of the tsunami, they found out communications were down. Now they have taken care of this. Now they have moved to a cellular-based network to notify people the tsunami is coming and to get them to high ground.

So we can and should do a lot more there. This bill opens the door to those sorts of programs here in the United States of America.

Finally, it gives assurances—well, two more points—to State and local governments they will be reimbursed up to a certain amount for costs incurred during disaster recovery.

□ 1730

This will encourage local governments to undertake new mitigation projects, which is a good deal for both the Federal Government and for taxpayers. Mitigation saves \$3 to \$4 for every dollar invested.

Finally, we have a power play by a minor Federal agency attempting to make FEMA become the national land use planning agency of the United States, trying to force FEMA to deny flood insurance to States that don't follow the directives of the National Marine Fisheries Service.

This is not authorized by law. They are way out of line, unfortunately. I talked to the woman who is head of that agency. She disagrees. Her regional representative is hell-bent to become the land use planning agency for

Oregon, although, of course, it already has comprehensive land use planning, unlike his home State of Washington, which was not subjected to these dramatic changes in law.

We are making it clear that that is not the authority of FEMA in this bill. That is a reasonable position. It is a bipartisan position. I thank my colleague and my colleagues on the other side of the aisle for their help.

Mr. BARLETTA. Mr. Speaker, I yield 3 minutes to the gentlewoman from Missouri (Mrs. HARTZLER), who was very helpful in adding very important language that strengthened this bill.

Mrs. HARTZLER. Mr. Speaker, in August of 2013, the southern portion of my district experienced a major disaster involving heavy flooding, which devastated infrastructure and caused significant hardship to many of my constituents.

Unfortunately, the Federal recovery efforts to this devastated region added insult to injury. Local officials dealt with multiple teams conducting duplicative site visits due to lost paperwork, inconsistent messages between various survey and evaluation teams, and unnecessarily long delays in recovery and reimbursement. Such a response to any disaster is unacceptable, and change is necessary.

Last year I introduced a bill to address the shortcomings of the FEMA response to the 2013 flooding in my district to ensure future disaster recoveries in Missouri and elsewhere are as painless and efficient as possible.

My bill, which is included in this reform package, requires FEMA to create an action plan to address inconsistent guidance, inappropriate recordkeeping procedures, and overall mixed assistance to local officials.

Additionally, it directs FEMA to issue a forward-looking report to identify new technologies that further aid the disaster workforce in partnering with private nonprofits as well as State and local governments in the wake of a disaster or emergency.

FEMA processes need to be streamlined and consistent in order to help those recovering from a disaster feel supported and assured the relief will come in a timely, efficient manner.

I rise today in full support of H.R. 1471, the FEMA Disaster Assistance Reform Act. Making sure Federal agencies have the proper oversight and resources they need is an important function of the U.S. Congress.

This 3-year reauthorization is a shining example of a bipartisan, commonsense effort to make the people get the help and assistance they so desperately need in times of crisis.

I want to thank the sponsor of this bill, Mr. BARLETTA, and the ranking member for including my language in the FEMA reform package.

I encourage my colleagues to vote for H.R. 1471.

Mr. CARSON of Indiana. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. FRANKEL),



my good friend and a member of the committee.

Ms. FRANKEL of Florida. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 1471, the FEMA Disaster Assistance Reform Act, and I thank the chairman and ranking member for their fine work.

The bill contains a bipartisan provision which I had the honor of working on with my friend and colleague from Florida, Congressman DAN WEBSTER.

As Floridians, we know hurricanes. In 2004 and 2005, Charley, Frances, Jeanne, Wilma, and Katrina tore through our State, leaving families stranded and property damaged. Trees crashed to the ground, ripping power lines and blocking flooded streets. Water systems were compromised.

Our local governments did a miraculous job cleaning debris from public ways, fixing broken infrastructure, and getting life back to normal. It takes a lot to get this done.

When hurricanes strike, communities are ravaged and so are their budgets. So I want to thank FEMA for the funding assistance it provided Florida at a time of great stress and need.

Now FEMA is asking some of our cities and counties to pay back money that they were given for disaster relief projects that were approved more than 10 years ago.

But here is the thing. There is no question that FEMA should do responsible audits of its relief payments to make sure that money was used properly. But unless there is fraud, the process should not be an endless journey into the Federal bureaucracy.

Our local governments, unlike the Federal Government, have to balance their budgets. They can't afford to wait 5, 10, or an infinite number of years for FEMA to do its assessment, especially when millions of dollars are at stake.

Simply said, the current practice unfairly stymies our local governments' ability to plan their future budgets. This legislation will make sure that the process is more balanced, giving FEMA adequate time to review its grant payments while allowing for financial security to local governments.

I urge my colleagues to support this very good legislation.

Mr. BARLETTA. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. GRAVES), who spent a lot of time and worked very hard to make this bill better.

Mr. GRAVES of Louisiana. Mr. Speaker, I want to thank the gentleman for yielding.

Mr. Speaker, the reality, as the gentleman from Indiana noted earlier, is that we are going to have disasters and we are going to spend funds responding to those disasters.

The problem with the United States disaster management policy is that it is backward. It is entirely reactive. Rather than going in before a disaster happens and making areas more resilient, making our ecosystem more resil-

ient, making our economy more resilient, we are dead set on this process of coming in after disasters and spending exponentially more dollars.

The ranking member referenced a few figures a little while ago. He referenced a figure of a CBO study indicating that, for every \$1 we invest in the right type of hazard mitigation, we save \$3 in disaster response cost.

There was another study that FEMA did. For every \$1 we invest, we have \$4 in cost savings. I think, Mr. Speaker, with the right criteria, you actually even save more.

Now, we are challenged as a Nation right now because the agency that is primarily responsible for making our communities more resilient is the U.S. Army Corps Engineers, which, unfortunately, Mr. Speaker, is stuck on stupid.

What we have seen over the last several years is, rather than trying to fix that, we have seen other agencies coming up being granting agencies. We have seen FEMA. This year we have seen the Department of the Interior in the President's budget. In the recent years, we have seen HUD.

Rather than fixing the problem, we are just trying to go around it and put more granting agencies out there. It is creating a disparate approach, an approach that is not coordinated and an approach that is going to result in more taxpayers' funds being spent on the wrong projects, the wrong priorities, rather than being proactive. This bill addresses that, Mr. Speaker.

This bill actually includes a provision that has FEMA begin developing a coordinated, proactive approach to how we mitigate or reduce vulnerabilities from disasters.

In the last several years, in my home State of Louisiana, we have seen extraordinary disasters, whether it is Hurricanes Katrina and Rita in 2005 or Hurricanes Gustav and Ike in 2008.

We had the Deepwater Horizon oil spill in 2011. In 2012, we had Hurricane Isaac. In 2011 and again this year, we saw record-high water on the Mississippi River system causing flooding.

We are going to spend dollars. We have got to spend them in the right and principled places.

This bill does a number of things that are important. Number one, it eliminates bureaucracy and helps to streamline the process of getting dollars on the ground to some of our important impacted areas.

We have seen where this bill comes in and it actually changes criteria, where severely impacted local communities, like in Louisiana, where we just saw St. John Parish, Ascension Parish, Livingston Parish, the area of Kenner, and St. James Parish experience extraordinary impacts from tornadoes. Those areas actually could potentially qualify for Federal disaster because of the severe impacts in some of these limited areas.

Most importantly, Mr. Speaker, I want to thank the ranking member and the chairman for working with us on a

provision that prevents FEMA from being able to move the goalpost on us, being able to come and change conditions after a grant is made that could result in homeowners having to pay back absurd amounts of money when they followed the criteria and followed the commitments when they entered into these grant agreements.

Mr. Speaker, this bill goes a long way. I want to continue working with the leaders of this bill on these zones, on duplication of efforts, and other things. But I will say it again, Mr. Speaker: we are going to spend the money one way or another. We need to spend it in a principled manner.

Mr. CARSON of Indiana. Mr. Speaker, I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield back the balance of my time.

Mr. MEEKS. Mr. Speaker, I rise today to commend my colleagues for passing H.R. 1471, the FEMA Disaster Assistance Reform Act of 2015. This important legislation authorizes appropriations for the Federal Emergency Management Agency for FY2016–FY2018 for management and administration. It also, directs FEMA, through the National Advisory Council, to undertake and report on a comprehensive study of disaster costs and losses.

H.R. 1471 includes provisions that I introduced that extends the authority of FEMA's Administrator to waive debts associated with an overpayment of individual assistance, so long as the overpayment was not a result of fraud.

This issue received national attention when about 30 residents at the Belle Harbor Manor, an assisted living facility in my district, received collection notices related to assistance provided by FEMA in the aftermath of Super Storm Sandy. FEMA's Administrator, Craig Fugate, later cancelled their debts. However, he is limited in canceling the debts of others who are in the exact same situation.

H.R. 1471 fixes this and provides FEMA's Administrator with expanded authority to waive debts of thousands of Super Storm Sandy survivors, as well as the debts incurred as a result of future natural disasters.

I want to thank my colleagues, Representative LOU BARLETTA and Representative PETER DEFAZIO, for their assistance in developing this language. I would also like to thank New York State Assemblyman Phillip Goldfeder for his tireless advocacy on behalf of Super Storm Sandy victims. It is my hope that this measure will receive speedy passage in the Senate so it can be signed by President Obama, and survivors of Super Storm Sandy can finally recover for this horrific act of God.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 1471, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### NUCLEAR ENERGY INNOVATION CAPABILITIES ACT

Mr. WEBER of Texas. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 4084) to enable civilian research and development of advanced nuclear energy technologies by private and public institutions and to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4084

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Nuclear Energy Innovation Capabilities Act”.

#### SEC. 2. NUCLEAR ENERGY.

Section 951 of the Energy Policy Act of 2005 (42 U.S.C. 16271) is amended to read as follows:

##### “SEC. 951. NUCLEAR ENERGY.

“(a) MISSION.—The Secretary shall conduct programs of civilian nuclear research, development, demonstration, and commercial application, including activities in this subtitle. Such programs shall take into consideration the following objectives:

“(1) Providing research infrastructure to promote scientific progress and enable users from academia, the National Laboratories, and the private sector to make scientific discoveries relevant for nuclear, chemical, and materials science engineering.

“(2) Maintaining National Laboratory and university nuclear energy research and development programs, including their infrastructure.

“(3) Providing the technical means to reduce the likelihood of nuclear weapons proliferation and increasing confidence margins for public safety of nuclear energy systems.

“(4) Reducing the environmental impact of nuclear energy related activities.

“(5) Supporting technology transfer from the National Laboratories to the private sector.

“(6) Enabling the private sector to partner with the National Laboratories to demonstrate novel reactor concepts for the purpose of resolving technical uncertainty associated with the aforementioned objectives in this subsection.

“(b) DEFINITIONS.—In this subtitle:

“(1) ADVANCED FISSION REACTOR.—The term ‘advanced fission reactor’ means a nuclear fission reactor with significant improvements over the most recent generation of nuclear reactors, which may include inherent safety features, lower waste yields, greater fuel utilization, superior reliability, resistance to proliferation, and increased thermal efficiency.

“(2) FAST NEUTRON.—The term ‘fast neutron’ means a neutron with kinetic energy above 100 kiloelectron volts.

“(3) NATIONAL LABORATORY.—The term ‘National Laboratory’ has the meaning given that term in paragraph (3) of section 2, except that with respect to subparagraphs (G), (H), and (N) of such paragraph, for purposes of this subtitle the term includes only the civilian activities thereof.

“(4) NEUTRON FLUX.—The term ‘neutron flux’ means the intensity of neutron radiation measured as a rate of flow of neutrons applied over an area.

“(5) NEUTRON SOURCE.—The term ‘neutron source’ means a research machine that provides neutron irradiation services for research on materials sciences and nuclear physics as well as testing of advanced materials, nuclear fuels, and other related components for reactor systems.

“(c) SENSE OF CONGRESS.—It is the sense of the Congress that nuclear energy, through

fission or fusion, represents the highest energy density of any known attainable source and yields zero air emissions. This energy source is of national importance to scientific progress, national security, electricity generation, heat generation for industrial applications, and space exploration. Considering the inherent complexity and regulatory burden associated with this area of science, the Department should focus its civilian nuclear research and development activities towards programs that enable the private sector, National Laboratories, and universities to carry out such experiments as are necessary to promote scientific progress and enhance practical knowledge of nuclear engineering.”.

#### SEC. 3. NUCLEAR ENERGY RESEARCH PROGRAMS.

Section 952 of the Energy Policy Act of 2005 (42 U.S.C. 16272) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

#### SEC. 4. ADVANCED FUEL CYCLE INITIATIVE.

Section 953(a) of the Energy Policy Act of 2005 (42 U.S.C. 16273(a)) is amended by striking “, acting through the Director of the Office of Nuclear Energy, Science and Technology,”.

#### SEC. 5. UNIVERSITY NUCLEAR SCIENCE AND ENGINEERING SUPPORT.

Section 954(d)(4) of the Energy Policy Act of 2005 (42 U.S.C. 16274(d)(4)) is amended by striking “as part of a taking into consideration effort that emphasizes” and inserting “that emphasize”.

#### SEC. 6. DEPARTMENT OF ENERGY CIVILIAN NUCLEAR INFRASTRUCTURE AND FACILITIES.

Section 955 of the Energy Policy Act of 2005 (42 U.S.C. 16275) is amended—

(1) by striking subsections (c) and (d); and

(2) by adding at the end the following:

“(c) VERSATILE NEUTRON SOURCE.—

“(1) MISSION NEED.—Not later than December 31, 2016, the Secretary shall determine the mission need for a versatile reactor-based fast neutron source, which shall operate as a national user facility. During this process, the Secretary shall consult with the private sector, universities, National Laboratories, and relevant Federal agencies to ensure that this user facility will meet the research needs of the largest possible majority of prospective users.

“(2) ESTABLISHMENT.—Upon the determination of mission need made under paragraph (1), the Secretary shall, as expeditiously as possible, provide to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a detailed plan for the establishment of the user facility.

“(3) FACILITY REQUIREMENTS.—

“(A) CAPABILITIES.—The Secretary shall ensure that this user facility will provide, at a minimum, the following capabilities:

“(i) Fast neutron spectrum irradiation capability.

“(ii) Capacity for upgrades to accommodate new or expanded research needs.

“(B) CONSIDERATIONS.—In carrying out the plan provided under paragraph (2), the Secretary shall consider the following:

“(i) Capabilities that support experimental high-temperature testing.

“(ii) Providing a source of fast neutrons at a neutron flux, higher than that at which current research facilities operate, sufficient to enable research for an optimal base of prospective users.

“(iii) Maximizing irradiation flexibility and irradiation volume to accommodate as many concurrent users as possible.

“(iv) Capabilities for irradiation with neutrons of a lower energy spectrum.

“(v) Multiple loops for fuels and materials testing in different coolants.

“(vi) Additional pre-irradiation and post-irradiation examination capabilities.

“(vii) Lifetime operating costs and lifecycle costs.

“(4) REPORTING PROGRESS.—The Department shall, in its annual budget requests, provide an explanation for any delay in its progress and otherwise make every effort to complete construction and approve the start of operations for this facility by December 31, 2025.

“(5) COORDINATION.—The Secretary shall leverage the best practices for management, construction, and operation of national user facilities from the Office of Science.”.

#### SEC. 7. SECURITY OF NUCLEAR FACILITIES.

Section 956 of the Energy Policy Act of 2005 (42 U.S.C. 16276) is amended by striking “, acting through the Director of the Office of Nuclear Energy, Science and Technology,”.

#### SEC. 8. HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.

Section 957 of the Energy Policy Act of 2005 (42 U.S.C. 16277) is amended to read as follows:

##### “SEC. 957. HIGH-PERFORMANCE COMPUTATION AND SUPPORTIVE RESEARCH.

“(a) MODELING AND SIMULATION.—The Secretary shall carry out a program to enhance the Nation’s capabilities to develop new reactor technologies through high-performance computation modeling and simulation techniques. This program shall coordinate with relevant Federal agencies through the National Strategic Computing Initiative created under Executive Order 13702 (July 29, 2015) while taking into account the following objectives:

“(1) Utilizing expertise from the private sector, universities, and National Laboratories to develop computational software and capabilities that prospective users may access to accelerate research and development of advanced fission reactor systems, nuclear fusion systems, and reactor systems for space exploration.

“(2) Developing computational tools to simulate and predict nuclear phenomena that may be validated through physical experimentation.

“(3) Increasing the utility of the Department’s research infrastructure by coordinating with the Advanced Scientific Computing Research program within the Office of Science.

“(4) Leveraging experience from the Energy Innovation Hub for Modeling and Simulation.

“(5) Ensuring that new experimental and computational tools are accessible to relevant research communities.

“(b) SUPPORTIVE RESEARCH ACTIVITIES.—The Secretary shall consider support for additional research activities to maximize the utility of its research facilities, including physical processes to simulate degradation of materials and behavior of fuel forms and for validation of computational tools.”.

#### SEC. 9. ENABLING NUCLEAR ENERGY INNOVATION.

Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is amended by adding at the end the following:

##### “SEC. 958. ENABLING NUCLEAR ENERGY INNOVATION.

“(a) NATIONAL REACTOR INNOVATION CENTER.—The Secretary shall carry out a program to enable the testing and demonstration of reactor concepts to be proposed and funded by the private sector. The Secretary shall leverage the technical expertise of relevant Federal agencies and National Laboratories in order to minimize the time required

to enable construction and operation of privately funded experimental reactors at National Laboratories or other Department-owned sites while ensuring reasonable safety for persons working within these sites. Such reactors shall operate to meet the following objectives:

“(1) Enabling physical validation of novel reactor concepts.

“(2) Resolving technical uncertainty and increasing practical knowledge relevant to safety, resilience, security, and functionality of first-of-a-kind reactor concepts.

“(3) General research and development to improve nascent technologies.

“(b) REPORTING REQUIREMENT.—Not later than 180 days after the date of enactment of the Nuclear Energy Innovation Capabilities Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report assessing the Department's capabilities to authorize, host, and oversee privately funded fusion and advanced fission experimental reactors as described under subsection (a). The report shall address the following:

“(1) The Department's safety review and oversight capabilities, including options to leverage expertise from the Nuclear Regulatory Commission and National Laboratories.

“(2) Potential sites capable of hosting activities described under subsection (a).

“(3) The efficacy of the Department's available contractual mechanisms to partner with the private sector and Federal agencies, including cooperative research and development agreements, strategic partnership projects, and agreements for commercializing technology.

“(4) Potential cost structures related to physical security, decommissioning, liability, and other long-term project costs.

“(5) Other challenges or considerations identified by the Secretary.”.

#### SEC. 10. BUDGET PLAN.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is further amended by adding at the end the following:

#### “SEC. 959. BUDGET PLAN.

“Not later than 12 months after the date of enactment of the Nuclear Energy Innovation Capabilities Act, the Department shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate 2 alternative 10-year budget plans for civilian nuclear energy research and development by the Department. The first shall assume constant annual funding for 10 years at the appropriated level for the Department's civilian nuclear energy research and development for fiscal year 2016. The second shall be an unconstrained budget. The 2 plans shall include—

“(1) a prioritized list of the Department's programs, projects, and activities to best support the development of next generation nuclear energy technology;

“(2) realistic budget requirements for the Department to implement sections 955(c), 957, and 958 of this Act; and

“(3) the Department's justification for continuing or terminating existing civilian nuclear energy research and development programs.”.

(b) REPORT ON FUSION INNOVATION.—Not later than six months after the date of enactment of this Act, the Secretary of the Department of Energy shall transmit to the Committee on Science, Space, and Tech-

nology of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that will identify engineering designs for innovative fusion energy systems that have the potential to demonstrate net energy production not later than 15 years after the start of construction. In this report, the Secretary will identify budgetary requirements that would be necessary for the Department to carry out a fusion innovation initiative to accelerate research and development of these designs.

#### SEC. 11. CONFORMING AMENDMENTS.

The table of contents for the Energy Policy Act of 2005 is amended by striking the item relating to section 957 and inserting the following:

“957. High-performance computation and supportive research.

“958. Enabling nuclear energy innovation.

“959. Budget plan.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. WEBER) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

Mr. WEBER of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4084, the Nuclear Energy Innovation Capabilities Act.

I want to thank Ranking Member JOHNSON and Chairman SMITH for cosponsoring this important legislation and for their leadership in advocating for nuclear energy research and development.

I am grateful for the opportunity to work with my fellow Texans to guide research that will keep America safe, globally competitive, and support nuclear innovation. I also want to thank my colleagues on the Science Committee who cosponsored H.R. 4084.

Mr. Speaker, the Science Committee has spent over a year examining U.S. nuclear energy policy and preparation for this legislation. We have been holding hearings on supercomputing, advanced nuclear energy technology, the Nuclear Regulatory Commission, and the DOE Energy Innovation Hubs.

Witnesses from the national labs, universities, and the private sector have all testified in support of the various reforms and policies outlined in this bill.

We took our time developing this legislation. By working together and listening to all the relevant stakeholders, we have developed broad bipartisan and bicameral support for this bill.

We have worked with our colleagues in the Senate to develop companion legislation as well. Last month an amendment with the text of this legislation passed, Mr. Speaker, with historic overwhelming support in the Senate.

For the first time in many years, the Nuclear Energy Innovation Capabilities Act will provide updated statutory direction to the Department of Energy's nuclear research activities to ensure that fundamental research is prioritized and precious resources are not wasted.

This bill requires DOE to leverage its supercomputing infrastructure and use modeling and simulation capabilities to develop advanced fission and fusion reactors.

The bill lays out a clear timeline and parameters for DOE to complete a research reactor. A research reactor is a crucial part of ensuring materials and nuclear fuels R&D can take place in the United States.

This type of research requires access to fast neutrons, which, unfortunately, are currently only available for civilian research in Russia, Mr. Speaker.

While modeling and simulation can accelerate R&D, nuclear energy must be validated through a physical source. The versatile neutron source under section 6 of H.R. 4084 will provide the United States with that vital capability.

□ 1745

This legislation also directs DOE to partner with the private sector to construct and operate reactor prototypes at DOE National Labs.

Nuclear reactors are expensive and highly regulated. Designing a first-of-a-kind reactor requires a blend of creative freedom for engineers to test new designs while ensuring safety throughout the entire process.

DOE sites, particularly the DOE National Labs, can provide a unique environment that safely allows for this kind of creative testing and development for advanced nuclear technology, without a burdensome regulatory process which slows progress to a crawl.

DOE has fundamental authority to enter into these innovative research partnerships, but won't have the confidence to act without direction from Congress, which is provided in this legislation, Mr. Speaker.

America must maintain our nuclear capabilities and continue to develop cutting-edge technology right here at home. Without the direction provided in this bill, we will continue to fall further and further behind, lose the ability to develop innovative nuclear technology, and be left importing reactor designs from overseas.

Today, we have the best nuclear engineers and manufacturing capacity in the world right here at home. We can't put that expertise at risk, Mr. Speaker.

Even more importantly, this bill will maintain America's capability to influence security and proliferation standards around the world, as more developing nations look to nuclear energy to grow their economies.

As a member of the Foreign Affairs Committee, I am constantly reminded of the need for American leadership in a dangerous world. H.R. 4084 reaffirms the United States' commitment to safely advancing nuclear technology.

I encourage my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. BEYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 4084, the Nuclear Energy Innovation Capabilities Act.

Currently in the United States, nuclear power produces about 20 percent of our Nation's electrical supply, and that makes nuclear power the single largest carbon-free power source in the country.

However, our current nuclear fleet is growing older. Many of the plants across our country are many decades old and rely upon nuclear technology that is even older.

There have been substantial efforts in the past decade to move towards constructing new nuclear generating units with more modern designs. However, these efforts have had mixed results.

There have been construction difficulties, regulatory hurdles, and financing issues, all of which have conspired to delay the construction of new nuclear plants in America.

Some of these hurdles, though, are unlikely to go away with our current technologies. The Three Mile Island, Chernobyl, and Fukushima nuclear accidents have repeatedly highlighted the necessity of ensuring our nuclear fleet runs as safely as possible. This has led to much of the cost and difficulty of building the new plants.

I think the answer to these problems can be found in innovative new nuclear technologies. The Department of Energy and many different companies in the private sector are working on new forms of nuclear energy generation that hold the promise of much more effective and much safer nuclear generation stations.

Some of these technologies also address the extremely important issue of the radioactive waste streams that plague our current generation of nuclear plants.

H.R. 4084 takes several positive steps to help spur this innovation and deliver these very promising nuclear technologies to market.

I also want to highlight one additional reason to support H.R. 4084. As the world makes commitments to move toward a lower carbon future, as evidenced by the Paris climate agreement, it presents an opportunity to American Industry to supply low-carbon power platforms like nuclear power.

This bill will keep our country on the forefront of nuclear power technology, and it is my hope it will empower American Industry to be the suppliers of the next generation of nuclear plants throughout the entire world.

Mr. Speaker, I would like to thank Congressman WEBER for sponsoring this legislation, and thank Science, Space, and Technology Committee Chairman SMITH and Ranking Member EDDIE BERNICE JOHNSON for bringing this bill to the floor in such a bipartisan manner.

Mr. Speaker, I reserve balance of my time.

Mr. WEBER of Texas. I appreciate the gentleman's kind remarks.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Mr. Speaker, I thank my colleague from Texas, Mr. WEBER, for his leadership on this important issue and for allowing me a few moments to speak on it.

H.R. 4084 is a critical piece of legislation that will improve our Nation's nuclear energy research and foster the development of our next generation of nuclear reactors.

Throughout our history, the United States has led the world in developing new nuclear technologies, and this bill provides the tools to help us to continue this leadership into the future.

One of the many important provisions of this bill is that it directs the Department of Energy, through its National Laboratories, to develop new nuclear reactor concepts by partnering with the private sector.

With a national population of 320 million, and growing, we must be aggressive in our pursuit of new nuclear breakthroughs in order to power our Nation's future.

As a Member of Congress from Georgia, I understand the challenges of providing power to a rapidly growing population. Georgia's population is expected to increase by almost 2 million over the next 10 years, and without clean, affordable, reliable nuclear power, the task of bringing electricity to these new residents would be daunting.

The United States has not added any nuclear power generation for over 30 years. However, today, new power units are being built at Plant Vogtle in Georgia. These nuclear power generators will add the capacity to power 1 million homes and businesses once they are completed.

After visiting Plant Vogtle last year, I am confident that these new generators will reassure the country that nuclear power is safe, secure, and reliable, and will encourage the pursuit of future nuclear technology breakthroughs.

This bill is vital to the future of our Nation because it enables the private sector to utilize the research tools and resources at the DOE National Labs so scientists and engineers in the private sector can assist in the development of new nuclear technologies. Nuclear power generation that is clean, sustainable, and safe, is what will power America's homes and businesses for years to come.

I urge my colleagues to support this bill.

Mr. BEYER. Mr. Speaker, I reserve the balance of my time.

Mr. WEBER of Texas. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Speaker, I thank Mr. WEBER and Mr. BEYER for their congenial work on this issue.

I do rise today in support of H.R. 4084, the Nuclear Energy Innovation Capabilities Act, as I am a cosponsor.

Some of us believe a nuclear energy policy is important to the State of California, which is home to private companies and universities pursuing advanced nuclear technologies.

I am proud to support this legislation because it would provide capabilities for our technology innovators to develop new reactors that will yield amazing benefits to society through increased resistance to proliferation, minimizing waste, and perhaps even consuming existing waste stockpiles.

The possibilities are endless when we allow our engineers to creatively tackle the world's challenges, and this is no different for nuclear energy.

This is important because in my district we have recently seen the issues that can arise when an area is dependent on a single energy source.

California is home to many of the companies seeking to partner with the DOE and benefit from our Nation's unparalleled supercomputer capabilities. Leveraging the Department's assets will help our domestic industry capture a significant share of a growing, multi-billion-dollar industry.

Mr. Speaker, I include in the RECORD letters of support from Tri Alpha, a California-based fusion company, and UPower, a California-based advanced fission reactor company.

TRI ALPHA ENERGY,  
February 24, 2016.

Hon. LAMAR SMITH,  
*Chairman, House Science, Space & Technology Committee, Washington, DC.*

Hon. EDDIE BERNICE JOHNSON,  
*Ranking Member, House Science, Space & Technology Committee, Washington, DC.*

Hon. RANDY WEBER,  
*Chairman, Energy Subcommittee, House Science, Space & Technology Committee, Washington, DC.*

DEAR CHAIRMAN SMITH, RANKING MEMBER JOHNSON, and REPRESENTATIVE WEBER: Tri Alpha Energy is a fusion energy science research company headquartered in Foothill Ranch, California. Our purpose is to deliver world-changing clean fusion energy for economical, commercial power generation as fast as possible. Tri Alpha started as a research project at the University of California-Irvine in 1990. Today we have 150 employees, over 350 patents issued or pending, and are conducting experiments on a state of the art plasma generation device.

We are writing to express support for your bill H.R. 4084, the Nuclear Energy Innovation Capabilities Act. Global market and environmental conditions demand that new sources of clean, baseload electricity be developed. New nuclear designs hold tremendous promise as a sustainable and cost-competitive power solution, but the United States government must provide a favorable policy environment for the necessary technology developments to take place.

H.R. 4084 would make several improvements at the Department of Energy to help move advanced nuclear technology concepts, including fusion, out of the laboratory and toward commercialization. The Nuclear Innovation Center, for example, would enable shorter development and permitting timelines by allowing private companies to work hand-in-hand with federal researchers and regulators on design validation.

We commend you and your staff for recognizing the enormous positive potential that advanced nuclear, including fusion, holds in

the United States and for offering thoughtful, bipartisan legislation to move the industry forward. We hope that H.R. 4084 will be offered for floor consideration soon and offer our support to help move the bill to final passage. We also look forward to working with your Committee on other fusion energy issues in the future. Please contact me with any questions.

Sincerely,

RICHARD C. BARTH, Ph.D.,  
Senior Vice President,  
Government Relations,  
Tri Alpha Energy.

JANUARY 22, 2016.

Hon. LAMAR SMITH, *Chairman*,

Hon. EDDIE BERNICE JOHNSON, *Ranking Member*,

Hon. RANDY WEBER, *Chairman*,  
*Subcommittee on Energy and the House Committee on Science, Space, and Technology*.

DEAR CHAIRMAN SMITH, RANKING MEMBER JOHNSON, CHAIRMAN WEBER, and SENATOR WHITEHOUSE, SENATOR BOOKER, and SENATOR RISCH: On behalf of UPower Technologies, I am writing to commend your bipartisan leadership and foresight regarding the creation and passage of H.R. 4084 and the Senate companion which compose the Nuclear Energy Innovation Capabilities Act (the Act).

UPower Technologies, Inc., soon to become Oklo, Inc., is a funded advanced reactor startup based in Silicon Valley. We believe that what is good for all advanced nuclear is what's best for the individual companies as well, and in turn what is best for the industry is best for the nation. Each entity in the advanced nuclear industry requires a high-functioning network of a diversity of companies, manufacturers, labs, suppliers, regulators, investors, and other expertise in order to thrive. And the United States will require this home-grown industry to be an international leader in clean energy, to provide high-paying, long-term jobs, and to provide clean power in a safe and reliable manner. Your commendable work on the Nuclear Energy Innovation Capabilities Act will support these important U.S. goals.

The Act is a start to look critically at potential ways that the U.S. government can be more efficient both in utilizing its vast, existing investments in infrastructure and expertise, and in removing unreasonable blocks to American innovation.

The Act begins to lay out an important framework and focus for the Department of Energy (DOE) regarding advanced nuclear, especially regarding its relationship to industry. While the DOE has many resources in place, such as a wealth of valuable advanced codes and computational resources, a congressional mandate to focus on making these resources more accessible, cost effective, and utilized could make both the DOE complex and the advanced reactor industry more vibrant.

The Act also requires the DOE to consider locations for nuclear fueled advanced reactor testing. It will be critical as this process proceeds to ensure that locations for implementations are not limited among the various potential DOE sites and that fees and contracting are in line with reasonable costs and not compensating for irrelevant or excessive overhead.

The Act institutes a focus on having a fast reactor resource within the DOE complex. It will be a valuable asset to both the DOE and the industry.

The laudable goal of the Act is to streamline U.S. technology development to commercialization. As such, it will be critically important that the DOE work as seamlessly as possible with the Nuclear Regulatory Commission (NRC) as far as providing data

and allowing for the licensing activities required for commercialization, so that there need not be a duplication of nuclear-fueled implementations—possibly an exorbitant cost for any startup to survive.

The Act also asks the NRC for a report on timeline expectations for advanced reactor licensing. From the perspective of current or future advanced nuclear startup companies, an official report on timelines creates better certainty for private investment. This is potentially a very valuable provision to encourage private investment to further this relatively new U.S. industry. We also encourage continued dialog between the NRC, industry, and other stakeholders regarding how the regulatory process can benefit from significant advances in safety, further reducing uncertainty and accelerating deployment of safe, clean energy.

In summary, we support H.R. 4084 and the accompanying Senate bill. We appreciate the focus it brings to key areas to utilize U.S. investments and infrastructure to enhance U.S. innovation in clean energy. We also look forward to future legislation which may add appropriation and clarification of public-private contracting to further enable American innovation. UPower Technologies stands ready to support these important advances in U.S. energy leadership.

Sincerely,

JACOB DEWITTE,  
CEO and founder,  
UPower Technologies, Inc.  
(changing to Oklo, Inc.), Sunnyvale, CA.

Mr. BEYER. Mr. Speaker, having no further requests for time, I yield back the balance of my time.

Mr. WEBER of Texas. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman from Texas has 12 minutes remaining.

#### GENERAL LEAVE

Mr. WEBER of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 4084, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WEBER of Texas. Mr. Speaker, I yield myself such time as I may consume.

H.R. 4084 is vital to ensuring America's leadership in nuclear innovation. By harnessing the expertise of our Nation's National Labs, some of which we heard about today, its universities and entrepreneurs, the private sector can take the lead in developing groundbreaking advanced nuclear technology.

I especially want to thank my colleagues on the Science, Space, and Technology Committee; of course, Ranking Member EDDIE BERNICE JOHNSON; those who have also cosponsored the bill, including DAN LIPINSKI, BARRY LOUDERMILK, ED PERLMUTTER, BARBARA COMSTOCK, PAUL TONKO, JIM BRIDENSTINE, BRIAN BABIN, DANA ROHRABACHER, RANDY HULTGREN, BRUCE WESTERMAN, STEVE KNIGHT, BILL POSEY, FRANK LUCAS, RANDY NEUGE-

BAUER, and the gentleman from Virginia for his kind remarks. I also want to thank the dozens and dozens of researchers and stakeholders who came in and provided feedback as we developed this legislation.

Mr. Speaker, I include in the RECORD a letter exchange between the Energy and Commerce Committee and the Science, Space, and Technology Committee on H.R. 4084.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, February 29, 2016.

Hon. LAMAR SMITH,  
Chairman, Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH: I write in regard to H.R. 4084, the "Nuclear Energy Innovation Capabilities Act." As you are aware, the bill was referred to the Committee on Science, Space, and Technology, but the Committee on Energy and Commerce has a jurisdictional interest in the bill. I wanted to notify you that the Committee on Energy and Commerce will forgo action on H.R. 4084 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce's jurisdictional interests over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 4084 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 4084 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,  
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, February 29, 2016.

Hon. FRED UPTON,  
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4084, the "Nuclear Energy Innovation Capabilities Act." Your support for this legislation and your assistance in ensuring its timely consideration are greatly appreciated.

I agree that a provision in the bill is within the jurisdiction of the Committee on Energy and Commerce. I acknowledge that by waiving rights to further consideration of H.R. 4084, your Committee is not relinquishing its jurisdiction. A copy of our letters will be placed in the Congressional Record during consideration of the bill on the House floor.

I value your cooperation and look forward to working with you as we move ahead with this legislation.

Sincerely,

LAMAR SMITH,  
Chairman.

Mr. WEBER of Texas. Mr. Speaker, I urge adoption of this commonsense, bipartisan legislation. I appreciate my colleagues' help.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, H.R. 4084, the "Nuclear Energy Innovation Capabilities Act," directs civilian nuclear energy research and development to contribute to American nuclear power.

I thank the Energy Subcommittee Chairman, RANDY WEBER, and Science Committee Ranking Member, EDDIE BERNICE JOHNSON of Texas, for their leadership on this issue.

I also want to thank many bipartisan co-sponsors of the bill, which include Science Committee Vice Chairman FRANK LUCAS, Research and Technology Subcommittee Chairwoman BARBARA COMSTOCK and Subcommittee Ranking Member DAN LIPINSKI, Environment Subcommittee Chairman JIM BRIDENSTINE, Oversight Subcommittee Chairman BARRY LOUDERMILK, Space Subcommittee Chairman BRIAN BABIN, and full committee members DANA ROHRBACHER, ED PERLMUTTER, RANDY HULTGREN, PAUL TONKO, BRUCE WESTERMAN, STEVE KNIGHT, BILL POSEY, and RANDY NEUGEBAUER.

I am encouraged by the strong bipartisan support for the subsequently introduced Senate version of the Nuclear Energy Innovation Capabilities Act, which passed as an amendment to the Energy Policy Modernization Act by a vote of 87–4 on the Senate floor in January.

Advanced nuclear energy technology is the best opportunity to make reliable, emission-free electricity available throughout the modern and developing world.

America must maintain a strong nuclear technology sector in order to influence global nonproliferation standards. This will help us prevent civilian nuclear energy technology from being misused for weapons development overseas.

H.R. 4084 harnesses the strengths of the Department of Energy (DOE) National Labs, universities, and the private sector. It ensures that America's best and brightest minds advance this groundbreaking science and technology.

This legislation provides DOE with the direction and certainty it needs to develop plans for long term research and infrastructure development within the Office of Nuclear Energy.

H.R. 4084 authorizes DOE to take advantage of the National Labs' supercomputers in order to accelerate research for advanced fission and fusion experimental reactors. This program will leverage expertise from the private sector, universities, and National Labs.

The bill provides a clear timeline for DOE to complete a research reactor user facility within ten years. This research reactor will enable proprietary and academic research to develop supercomputing models and also design next generation nuclear energy technology.

Finally, H.R. 4084 creates a reliable mechanism for the private sector to partner with DOE labs to build fission and fusion prototype reactors at DOE sites.

Nuclear power has been a proven source of safe and emission-free electricity for over half a century. Now, America's strategic investments in advanced nuclear reactor technology can play a more meaningful role to reduce global emissions. Unfortunately, the ability to move innovative technology to the market has been stalled by government red tape.

By working around these bureaucratic barriers, H.R. 4084 may spur American competitiveness and keep us on the forefront of nuclear energy technology.

This legislation enables our talented engineers in the private sector, academia, and at the National Labs to develop the next generation of nuclear technology here in the United States.

Nuclear energy can be a clean, cheap answer to an energy independent, pro-growth, secure future.

I thank Chairman WEBER and Ranking Member JOHNSON of Texas for their work on this bill and encourage my colleagues to support it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to support H.R. 4084, the Nuclear Energy Innovation Capabilities Act, which I am very pleased to co-sponsor.

Today, nuclear power plays a vital role in providing our country with clean, reliable energy. Nuclear power is currently the single largest carbon-free component of our electrical supply. One of my top priorities as a Member of Congress is preventing and mitigating the potentially devastating impacts of climate change. I believe that nuclear power can and should play a key role in our efforts to reduce the carbon footprint of our electricity sector.

But there currently are technical, economic, and policy challenges that prevent nuclear energy from playing a larger role in enabling our clean energy future. The Nuclear Energy Innovation Capabilities Act takes several positive steps to address these challenges. Implementing the provisions in this bill will help accelerate the development of advanced nuclear energy technologies that are safer, less expensive, more efficient, and produce less waste than the current generation of nuclear reactors.

While the results of this research will clearly benefit the American consumers, it is my hope that it will also help spur American industry. As the world collectively moves towards greenhouse gas reductions, we need to make sure that American industry is ready to supply the technologies to fuel the world's low carbon future. This bill will help ensure that American industry will lead the world in supplying next generation nuclear power.

I would like to express my appreciation for the process we followed to put this bill together. Majority and Minority staff worked closely together, from engaging stakeholders through crafting and incorporating suggested changes to bill language. This is a great example of what we can achieve when we leave politics at the door and look for common ground to address the challenges facing our nation's research enterprise. Specifically, I'd like to thank my Texas colleague Mr. WEBER for sponsoring this legislation, and my other Texas colleague Chairman SMITH for working with the Minority to advance this bill.

I urge my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. WEBER) that the House suspend the rules and pass the bill, H.R. 4084, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EDWARD "TED" KAUFMAN AND  
MICHAEL LEAVITT PRESIDENTIAL  
TRANSITIONS IMPROVEMENTS ACT OF 2015

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules

and pass the bill (S. 1172) to improve the process of presidential transition, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1172

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Edward 'Ted' Kaufman and Michael Leavitt Presidential Transitions Improvements Act of 2015".*

#### SEC. 2. PRESIDENTIAL TRANSITION IMPROVEMENTS.

(a) IN GENERAL.—The Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) by redesignating sections 4, 5, and 6 as sections 5, 6, and 7, respectively; and

(2) by inserting after section 3 the following:

#### "SEC. 4. TRANSITION SERVICES AND ACTIVITIES BEFORE ELECTION.

"(a) DEFINITIONS.—In this section—

"(1) the term 'Administrator' means the Administrator of General Services;

"(2) the term 'agency' means an Executive agency, as defined in section 105 of title 5, United States Code;

"(3) the term 'eligible candidate' has the meaning given that term in section 3(h)(4); and

"(4) the term 'Presidential election' means a general election held to determine the electors of President and Vice President under section 1 or 2 of title 3, United States Code.

"(b) GENERAL DUTIES.—The President shall take such actions as the President determines necessary and appropriate to plan and coordinate activities by the Executive branch of the Federal Government to facilitate an efficient transfer of power to a successor President, including by—

"(1) establishing and operating a White House transition coordinating council in accordance with subsection (d); and

"(2) establishing and operating an agency transition directors council in accordance with subsection (e).

"(c) FEDERAL TRANSITION COORDINATOR.—The Administrator shall designate an employee of the General Services Administration who is a senior career appointee to—

"(1) carry out the duties and authorities of the General Services Administration relating to Presidential transitions under this Act or any other provision of law;

"(2) serve as the Federal Transition Coordinator with responsibility for coordinating transition planning across agencies, including through the agency transition directors council established under subsection (e);

"(3) ensure agencies comply with all statutory requirements relating to transition planning and reporting; and

"(4) act as a liaison to eligible candidates.

"(d) WHITE HOUSE TRANSITION COORDINATING COUNCIL.—

"(1) ESTABLISHMENT.—Not later than 6 months before the date of a Presidential election, the President shall establish a White House transition coordinating council for purposes of facilitating the Presidential transition.

"(2) DUTIES.—The White House transition coordinating council shall—

"(A) provide guidance to agencies and the Federal Transition Coordinator regarding preparations for the Presidential transition, including succession planning and preparation of briefing materials;

"(B) facilitate communication and information sharing between the transition representatives of eligible candidates and senior employees in agencies and the Executive Office of the President; and

"(C) prepare and host interagency emergency preparedness and response exercises.

"(3) MEMBERSHIP.—The members of the White House transition coordinating council shall include—



“(A) senior employees of the Executive branch selected by the President, which may include the Chief of Staff to the President, any Cabinet officer, the Director of the Office of Management and Budget, the Administrator, the Director of the Office of Personnel Management, the Director of the Office of Government Ethics, and the Archivist of the United States;

“(B) the Federal Transition Coordinator;

“(C) the transition representative for each eligible candidate, who shall serve in an advisory capacity; and

“(D) any other individual the President determines appropriate.

“(4) CHAIRPERSON.—The Chairperson of the White House transition coordinating council shall be a senior employee in the Executive Office of the President, designated by the President.

“(e) AGENCY TRANSITION DIRECTORS COUNCIL.—

“(1) IN GENERAL.—The President shall establish and operate an agency transition directors council, which shall—

“(A) ensure the Federal Government has an integrated strategy for addressing interagency challenges and responsibilities around Presidential transitions and turnover of noncareer appointees;

“(B) coordinate transition activities between the Executive Office of the President, agencies, and the transition team of eligible candidates and the President-elect and Vice-President-elect; and

“(C) draw on guidance provided by the White House transition coordinating council and lessons learned from previous Presidential transitions in carrying out its duties.

“(2) DUTIES.—As part of carrying out the responsibilities under paragraph (1), the agency transition directors council shall—

“(A) assist the Federal Transition Coordinator in identifying and carrying out the responsibilities of the Federal Transition Coordinator relating to a Presidential transition;

“(B) provide guidance to agencies in gathering briefing materials and information relating to the Presidential transition that may be requested by eligible candidates;

“(C) ensure materials and information described in subparagraph (B) are prepared not later than November 1 of a year during which a Presidential election is held;

“(D) ensure agencies adequately prepare career employees who are designated to fill noncareer positions under subsection (f) during a Presidential transition; and

“(E) consult with the President's Management Council, or any successor thereto, in carrying out the duties of the agency transition directors council.

“(3) MEMBERSHIP.—The members of the agency transition directors council shall include—

“(A) the Federal Transition Coordinator and the Deputy Director for Management of the Office of Management and Budget, who shall serve as Co-Chairpersons of the agency transition directors council;

“(B) other senior employees serving in the Executive Office of the President, as determined by the President;

“(C) a senior representative from each agency described in section 901(b)(1) of title 31, United States Code, the Office of Personnel Management, the Office of Government Ethics, and the National Archives and Records Administration whose responsibilities include leading Presidential transition efforts within the agency;

“(D) a senior representative from any other agency determined by the Co-Chairpersons to be an agency that has significant responsibilities relating to the Presidential transition process; and

“(E) during a year during which a Presidential election will be held, a transition representative for each eligible candidate, who shall serve in an advisory capacity.

“(4) MEETINGS.—The agency transition directors council shall meet—

“(A) subject to subparagraph (B), not less than once per year; and

“(B) during the period beginning on the date that is 6 months before a Presidential election and ending on the date on which the President-elect is inaugurated, on a regular basis as necessary to carry out the duties and authorities of the agency transition directors council.

“(f) INTERIM AGENCY LEADERSHIP FOR TRANSITIONS.—

“(1) OVERSIGHT AND IMPLEMENTATION OF TRANSITION.—Not later than 6 months before the date of a Presidential election, the head of each agency shall designate a senior career employee of the agency and a senior career employee of each major component and subcomponent of the agency to oversee and implement the activities of the agency, component, or subcomponent relating to the Presidential transition.

“(2) ACTING OFFICERS.—Not later than September 15 of a year during which a Presidential election occurs, and in accordance with subchapter III of chapter 33 of title 5, United States Code, for each noncareer position in an agency that the head of the agency determines is critical, the head of the agency shall designate a qualified career employee to serve in the position in an acting capacity if the position becomes vacant.

“(g) MEMORANDUMS OF UNDERSTANDING.—

“(1) IN GENERAL.—Not later than November 1 of a year during which a Presidential election occurs, the President (acting through the Federal Transition Coordinator) shall, to the maximum extent practicable, negotiate a memorandum of understanding with the transition representative of each eligible candidate, which shall include, at a minimum, the conditions of access to employees, facilities, and documents of agencies by transition staff.

“(2) EXISTING RESOURCES.—To the maximum extent practicable, the memorandums of understanding negotiated under paragraph (1) shall be based on memorandums of understanding from previous Presidential transitions.

“(h) EQUITY IN ASSISTANCE.—Any information or other assistance provided to eligible candidates under this section shall be offered on an equal basis and without regard to political affiliation.

“(i) REPORTS.—

“(1) IN GENERAL.—The President, acting through the Federal Transition Coordinator, shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate reports describing the activities undertaken by the President and agencies to prepare for the transfer of power to a new President.

“(2) TIMING.—The reports under paragraph (1) shall be provided 6 months and 3 months before the date of a Presidential election.”

(b) OTHER IMPROVEMENTS.—Section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)—

(A) in paragraph (8)—

(i) in subparagraph (A)(i)—

(I) by inserting “and during the term of a President” after “during the transition”; and

(II) by striking “after inauguration”; and

(ii) in subparagraph (B), by inserting “or Executive agencies (as defined in section 105 of title 5, United States Code)” before the period; and

(B) in paragraph (10), by inserting “including, to the greatest extent practicable, human resource management system software compatible with the software used by the incumbent President and likely to be used by the President-elect and Vice President-elect” before the period;

(2) in subsection (b)(2), by striking “30 days” and inserting “180 days”; and

(3) in subsection (g), by inserting “except for activities under subsection (a)(8)(A),” before “there shall be no”; and

(4) in subsection (h)(2), by adding at the end the following:

“(D) An eligible candidate shall have a right to the services and facilities described in this paragraph until the date on which the Administrator is able to determine the apparent successful candidates for the office of President and Vice President.”

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 3 of the Pre-Election Presidential Transition Act of 2010 (3 U.S.C. 102 note) is repealed.

(2) The Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(A) in section 3—

(i) in subsection (a)(4)(B), by striking “section 6” and inserting “section 7”; and

(ii) in subsection (b), in the matter preceding paragraph (1), by striking “section 3 of this Act” and inserting “this section”; and

(iii) in subsection (h)(3)(B)(iii), by striking “section 5” each place it appears and inserting “section 6”;

(B) in section 6, as redesignated by subsection (a) of this section, by striking “section 6(a)(1)” each place it appears and inserting “section 7(a)(1)”; and

(C) in section 7(a)(2), as redesignated by subsection (a) of this section, by striking “section 4” and inserting “section 5”.

(3) Section 8331(1)(K) of title 5, United States Code, is amended by striking “section 4” and inserting “section 5”.

(4) Section 8701(a)(10) of title 5, United States Code, is amended by striking “section 4” and inserting “section 5”.

(5) Section 8901(1)(I) of title 5, United States Code, is amended by striking “section 4” and inserting “section 5”.

### SEC. 3. NATIONAL ARCHIVES PRESIDENTIAL TRANSITION.

Section 2203(g) of title 44, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

“(3) When the President considers it practicable and in the public interest, the President shall include in the President's budget transmitted to Congress, for each fiscal year in which the term of office of the President will expire, such funds as may be necessary for carrying out the authorities of this subsection.”

### SEC. 4. REPORTS ON POLITICAL APPOINTEES APPOINTED TO NONPOLITICAL PERMANENT POSITIONS.

(a) DEFINITIONS.—In this section—

(1) the term “agency” has the meaning given the term “Executive agency” in section 105 of title 5, United States Code;

(2) the term “covered civil service position” means a position in the civil service (as defined in section 2101 of title 5, United States Code) that is not—

(A) a temporary position; or

(B) a political position;

(3) the term “former political appointee” means an individual who—

(A) is not serving in an appointment to a political position; and

(B) served as a political appointee during the 5-year period ending on the date of the request for an appointment to a covered civil service position in any agency;

(4) the term “political appointee” means an individual serving in an appointment to a political position; and

(5) the term “political position” means—

(A) a position described under sections 5312 through 5316 of title 5, United States Code (relating to the Executive Schedule);

(B) a noncareer appointment in the Senior Executive Service, as defined under paragraph (7) of section 3132(a) of title 5, United States Code; or

(C) a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C

of part 213 of title 5, Code of Federal Regulations.

(b) **REPORTING ON CURRENT OR RECENT POLITICAL APPOINTEES APPOINTED TO COVERED CIVIL SERVICE POSITIONS.**—

(1) **ANNUAL REPORT.**—Except as provided in paragraph (2), the Director of the Office of Personnel Management shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives an annual report regarding requests by agencies to appoint political appointees or former political appointees to covered civil service positions. Each report shall cover one calendar year and shall—

(A) for each request by an agency that a political appointee be appointed to a covered civil service position during the period covered by the report, provide—

(i) the date on which the request was received by the Office of Personnel Management;

(ii) subject to subsection (c), the name of the individual and the political position held by the individual, including title, office, and agency;

(iii) the date on which the individual was first appointed to a political position in the agency in which the individual is serving as a political appointee;

(iv) the grade and rate of basic pay for the individual as a political appointee;

(v) the proposed covered civil service position, including title, office, and agency, and the proposed grade and rate of basic pay for the individual;

(vi) whether the Office of Personnel Management approved or denied the request; and

(vii) the date on which the individual was appointed to a covered civil service position, if applicable; and

(B) for each request by an agency that a former political appointee be appointed to a covered civil service position during the period covered by the report, provide—

(i) the date on which the request was received by the Office of Personnel Management;

(ii) subject to subsection (c), the name of the individual and the political position held by the individual, including title, office, and agency;

(iii) the date on which the individual was first appointed to any political position;

(iv) the grade and rate of basic pay for the individual as a political appointee;

(v) the date on which the individual ceased to serve in a political position;

(vi) the proposed covered civil service position, including title, office, and agency, and the proposed grade and rate of basic pay for the individual;

(vii) whether the Office of Personnel Management approved or denied the request; and

(viii) the date on which the individual was first appointed to a covered civil service position, if applicable.

(2) **QUARTERLY REPORT IN CERTAIN YEARS.**—In the last year of the term of a President, or, if applicable, the last year of the second consecutive term of a President, the report required under paragraph (1) shall be submitted quarterly and shall cover each quarter of the year, except that the last quarterly report shall also cover January 1 through 20 of the following year.

(c) **NAMES AND TITLES OF CERTAIN APPOINTEES.**—If determined appropriate by the Director of the Office of Personnel Management, a report submitted under subsection (b) may exclude the name or title of a political appointee or former political appointee—

(1) who—

(A) was requested to be appointed to a covered civil service position; and

(B) was not appointed to a covered civil service position; or

(2) relating to whom a request to be appointed to a covered civil service position is pending at the end of the period covered by that report.

## SEC. 5. REPORT ON REGULATIONS PROMULGATED NEAR THE END OF PRESIDENTIAL TERMS.

(a) **DEFINITIONS.**—In this section:

(1) The term “covered presidential transition period” means each of the following:

(A) The 120-day period ending on January 20, 2001.

(B) The 120-day period ending on January 20, 2009.

(C) The 120-day period ending on January 20, 2017.

(2) The term “covered regulation” means a final significant regulatory action promulgated by an Executive department.

(3) The term “significant regulatory action” means any regulatory action that is likely to result in a rule that may—

(A) have an annual effect on the economy of \$100,000,000 or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(B) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(C) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(D) raise novel legal or policy issues.

(4) The term “Executive department” has the meaning given that term under section 101 of title 5, United States Code.

(b) **REPORT.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report regarding covered regulations promulgated during each covered presidential transition period.

(2) **CONTENTS OF REPORT.**—The report required under paragraph (1) shall, to the extent feasible, for each covered presidential transition period—

(A) compare the number, scope, and impact of, and type of rulemaking procedure used for, covered regulations promulgated during the covered presidential transition period to the number, scope, and impact of, and type of rulemaking procedure used for, covered regulations promulgated during the 120-day periods ending on January 20 of each year after 1996, other than 2001, 2009, and 2017;

(B) determine the statistical significance of any differences identified under subparagraph (A) and whether and to what extent such differences indicate any patterns;

(C) evaluate the size, scope, and effect of the covered regulations promulgated during the covered presidential transition period; and

(D) assess the extent to which the regularly required processes for the promulgation of covered regulations were followed during the covered presidential transition period, including compliance with the requirements under—

(i) chapter 8 of title 5, United States Code (commonly known as the “Congressional Review Act”);

(ii) the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note);

(iii) sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532-1535);

(iv) chapter 6 of title 5, United States Code (commonly known as the “Regulatory Flexibility Act”); and

(v) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

## SEC. 6. ANALYSIS OF THREATS AND VULNERABILITIES.

(a) **IN GENERAL.**—Not later than February 15, 2016, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the

Committees on Oversight and Government Reform and Homeland Security of the House of Representatives a report analyzing the threats and vulnerabilities facing the United States during a presidential transition, which—

(1) shall identify and discuss vulnerabilities related to border security and threats related to terrorism, including from weapons of mass destruction;

(2) shall identify steps being taken to address the threats and vulnerabilities during a presidential transition; and

(3) may include recommendations for actions by components and agencies within the Department of Homeland Security.

(b) **FORM.**—The report submitted under subsection (a) shall be prepared in unclassified form, but may contain a classified annex.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from Illinois (Ms. KELLY) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

### GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 1172, the Edward “Ted” Kaufman and Michael Leavitt Presidential Transitions Improvements Act of 2015, introduced by Senator THOMAS CARPER of Delaware.

By building on the Pre-Presidential Transaction Act of 2010, S. 1172 improves the process of Presidential transition by mandating several processes that have been effective in past Presidential transitions.

The bill promotes early planning and supports communication by codifying the working groups put in place for the 2010 transition, which was one of the smoothest in our Nation’s history.

S. 1172 directs the White House to establish a transition council. It requires the General Services Administration to designate a Federal transition coordinator, and it ensures agencies designate staff to manage their internal transition activities needed to support the process of transitioning from one Presidential administration to another.

The bill requires that the transition teams be in place no later than 6 months before election day, and it authorizes GSA to provide services for the incoming administration up to 6 months after inauguration.

□ 1800

S. 1172 also requires a report to Congress on national security threats related to terrorism and border security during a transition. The bill further requires the Office of Personnel Management to provide quarterly reports to

Congress detailing requests by agencies to appoint political appointees and former political appointees to non-political civil service positions.

Mr. Speaker, S. 1172 will help ensure the incoming President has the information necessary to oversee our complex government. Together, these commonsense steps will support future Presidents as they prepare to govern immediately after inauguration. Regardless of party, key management actions must be taken during transitions to support the smooth operation of government.

Mr. Speaker, this bill was also referred to the Committee on Homeland Security, and we deeply appreciate their cooperation in getting this bill to the floor.

I also would like to thank Senators JOHNSON and CARPER for their work to ensure the upcoming transition remains nonpartisan and supports the continuance of essential government operations.

Mr. Speaker, as we prepare for an upcoming Presidential transition, I urge my colleagues to support this important bipartisan legislation.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, December 11, 2015.

Hon. MICHAEL T. MCCAUL,  
Chairman, Committee on Homeland Security,  
Washington, DC.

DEAR MR. CHAIRMAN: On October 9, 2015, the Committee on Oversight and Government Reform ordered reported with an amendment S. 1172, the Edward "Ted" Kaufman and Michael Leavitt Presidential Transitions Improvements Act of 2015, by unanimous consent. The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on Homeland Security.

I ask that you allow the Homeland Security Committee to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Homeland Security represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
Washington, DC, December 11, 2015.

Hon. JASON CHAFFETZ,  
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: Thank you for letter regarding S. 1172, the "Edward 'Ted' Kaufman and Michael Leavitt Presidential Transitions and Improvements Act of 2015."

As a result of your having consulted with us on provisions in S. 1172 that fall within the Rule X jurisdiction of the Committee on Homeland Security, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Committee on Homeland Security takes this action with our mutual understanding that by forgoing consideration of S. 1172 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and I ask that your support any such request.

To memorialize our understanding, please include a copy of this letter exchange in the report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration.

Sincerely,

MICHAEL T. MCCAUL,  
Chairman.

Ms. KELLY of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation. I appreciate the leadership of Senator TOM CARPER in advocating for this bill which would improve the transition process for Presidential administrations.

When a new President takes office, it can take months for the new administration to put people in place. This bill would ensure that the Federal Government can continue its important functions during this transition and allow the head of an agency to put career employees in noncareer positions temporarily if necessary.

Under this legislation, a senior-level interagency transition council would be established to help develop an effective strategy for each Presidential transition. The General Services Administration would also be required to designate a Federal transition coordinator, and agencies would be required to designate senior career officials to oversee transition activities.

This bill would also help the National Archives carry out its mission by authorizing the President to include funds for the Archives to efficiently receive records from the outgoing administration.

Several changes were made to this legislation during consideration by the Oversight and Government Reform Committee to address concerns raised by Ranking Member CUMMINGS. For example, the Senate version of this bill would have required the Office of Personnel Management to report every quarter on requests for political appointees to convert to career employees. The bill before us today would still require OPM to report this information, but it would only be on an annual basis during nonelection years.

This bill will help future Presidents have a smooth and productive transi-

tion. I support this bill, and I have no additional speakers.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I urge adoption of this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, S. 1172, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## COMPETITIVE SERVICE ACT OF 2015

Mr. JODY B. HICE of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1580) to allow additional appointing authorities to select individuals from competitive service certificates, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1580

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Competitive Service Act of 2015".

### SEC. 2. ADDITIONAL APPOINTING AUTHORITIES FOR COMPETITIVE SERVICE.

(a) IN GENERAL.—Section 3318 of title 5, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

“(b) OTHER APPOINTING AUTHORITIES.—

“(1) IN GENERAL.—During the 240-day period beginning on the date of issuance of a certificate of eligibles under section 3317(a), an appointing authority other than the appointing authority requesting the certificate (in this subsection referred to as the ‘other appointing authority’) may select an individual from that certificate in accordance with this subsection for an appointment to a position that is—

“(A) in the same occupational series as the position for which the certification of eligibles was issued (in this subsection referred to as the ‘original position’); and

“(B) at a similar grade level as the original position.

“(2) APPLICABILITY.—An appointing authority requesting a certificate of eligibles may share the certificate with another appointing authority only if the announcement of the original position provided notice that the resulting list of eligible candidates may be used by another appointing authority.

“(3) REQUIREMENTS.—The selection of an individual under paragraph (1)—

“(A) shall be made in accordance with subsection (a); and

“(B) subject to paragraph (4), may be made without any additional posting under section 3327.

“(4) INTERNAL NOTICE.—Before selecting an individual under paragraph (1), and subject to the requirements of any collective bargaining obligation of the other appointing authority, the other appointing authority shall—

“(A) provide notice of the available position to employees of the other appointing authority;

“(B) provide up to 10 business days for employees of the other appointing authority to apply for the position; and

“(C) review the qualifications of employees submitting an application.

“(5) COLLECTIVE BARGAINING OBLIGATIONS.—Nothing in this subsection limits any collective bargaining obligation of an agency under chapter 71.”

(b) ALTERNATIVE RANKING AND SELECTION PROCEDURES.—Section 3319 of title 5, United States Code, is amended by striking subsection (c) and inserting the following:

“(C) SELECTION.—

“(1) IN GENERAL.—An appointing official may select any applicant in the highest quality category or, if fewer than 3 candidates have been assigned to the highest quality category, in a merged category consisting of the highest and the second highest quality categories.

“(2) USE BY OTHER APPOINTING OFFICIALS.—Under regulations prescribed by the Office of Personnel Management, appointing officials other than the appointing official described in paragraph (1) (in this subsection referred to as the ‘other appointing official’) may select an applicant for an appointment to a position that is—

“(A) in the same occupational series as the position for which the certification of eligibles was issued (in this subsection referred to as the ‘original position’); and

“(B) at a similar grade level as the original position.

“(3) APPLICABILITY.—An appointing authority requesting a certificate of eligibles may share the certificate with another appointing authority only if the announcement of the original position provided notice that the resulting list of eligible candidates may be used by another appointing authority.

“(4) REQUIREMENTS.—The selection of an individual under paragraph (2)—

“(A) shall be made in accordance with this subsection; and

“(B) subject to paragraph (5), may be made without any additional posting under section 3327.

“(5) INTERNAL NOTICE.—Before selecting an individual under paragraph (2), and subject to the requirements of any collective bargaining obligation of the other appointing authority (within the meaning given that term in section 3318(b)(1)), the other appointing official shall—

“(A) provide notice of the available position to employees of the appointing authority employing the other appointing official;

“(B) provide up to 10 business days for employees of the other appointing authority to apply for the position; and

“(C) review the qualifications of employees submitting an application.

“(6) COLLECTIVE BARGAINING OBLIGATIONS.—Nothing in this subsection limits any collective bargaining obligation of an agency under chapter 71.

“(7) PREFERENCE ELIGIBLES.—Notwithstanding paragraphs (1) and (2), an appointing official may not pass over a preference eligible in the same category from which selection is made, unless the requirements of section 3317(b) and 3318(c), as applicable, are satisfied.”

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 9510(b)(5) of title 5, United States Code, is amended by striking “3318(b)” and inserting “3318(c)”.

(d) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Personnel Management shall issue an interim final rule with comment to carry out the amendments made by this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JODY B. HICE) and the gentlewoman from Illinois (Ms. KELLY) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

#### GENERAL LEAVE

Mr. JODY B. HICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 1580, the Competitive Service Act of 2015, introduced by Senator JON TESTER of Montana. This bill will allow Federal agencies to share their lists of best qualified candidates with other agencies needing to hire for similar positions.

Mr. Speaker, many applicants are reluctant to apply for jobs with the Federal Government due to the length of time it takes for some agencies to fill job announcements. This bill will expedite the Federal hiring process by allowing agencies to share their assessments of job applicants for competitive service positions.

S. 1580 allows an agency to hire from another agency's certified list of eligible candidates as long as the original job announcement provided notice that the list of eligible candidates may be used by another agency, that the position is in the same occupational category, and that the position is at a similar grade level.

However, before an agency can hire from another agency's certified list of eligible candidates, that agency must provide notice of the available position to its internal employees, give up to 10 business days for its employees to submit applications, and then consider those applications. S. 1580 provides that as long as all of these requirements are met, an agency does not need to make any additional postings and may hire from the list of certified eligible candidates.

In an April 2014 report, titled, “A New Civil Service Framework,” the Partnership for Public Service discussed allowing agencies to share those best qualified candidates with other agencies. PPS notes that creating cross-agency best qualified applicant pools is “another commonsense opportunity to create enterprisewide efficiencies for the Federal Government.”

With the Federal Government looking to fill critical vacancies, this bill will assist agencies with recruiting and hiring much-needed talent in areas such as cybersecurity and information technology.

Mr. Speaker, the committee received letters of support for this legislation

from the Professional Managers Association and the Partnership for Public Service. The Federal Managers Association also supports this bill, calling it commonsense legislation.

I want to thank Senator TESTER for this legislation. The House has a similar bill that was introduced by Representatives CONNOLLY and WITTMAN, and I want to thank them also for bringing this matter to the attention of the committee as well.

Mr. Speaker, as we move forward with legislation to make the Federal Government more effective and efficient, I urge my colleagues to support this important, bipartisan legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. KELLY of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of S. 1580, the Competitive Service Act of 2015. I commend Senators TESTER and PORTMAN and other colleagues in the Senate for their leadership on this important legislation. I also want to thank my friend and colleague, Congressman CONNOLLY of Virginia, for his work on this bill and introducing the companion bill in the House.

S. 1580 is a commonsense measure to streamline the Federal Government's hiring process. The legislation would reduce duplication in the vetting of candidates for Federal jobs by allowing agencies to share their list of best qualified candidates with other agencies that are hiring for a similar position.

Under this bill, an agency may hire an individual from another agency's certified list of candidates without any additional job posting if the agency meets certain requirements, including notifying its employees of the available position and allowing them to apply.

I urge my colleagues to join me in voting in favor of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN). He has been a major player in this legislation.

Mr. WITTMAN. Mr. Speaker, I thank the gentleman from Georgia for yielding and thank him for his leadership.

As you have heard, this is just a commonsense bill, and I rise in strong support of S. 1580, the Competitive Services Act. I want to thank my colleague from Virginia, GERRY CONNOLLY, for his effort, along with my staff, in putting together the House version of this bill.

It is just a commonsense, bicameral, and bipartisan bill that allows agencies in a very complex and competitive world to aggressively and timely recruit individuals for these positions. We want to get individuals into those positions quickly, and we want to understand where the talent lies so that these agencies can communicate back

and forth. Many times that silo approach doesn't work. This breaks down those silos and allows agencies to share information about these applicants.

In today's world when we need to, in a timely way, gets folks into the cybersecurity realm, we need to get folks into the information technology realm, and even in the veterans' healthcare realm where we need to get healthcare providers there quickly, especially when there is demand, this is the perfect way to do that. When we go through the effort of having these individuals apply for these jobs, we know what their qualifications are. There is no reason why we shouldn't be sharing this information. It allows us to act in the best interests of taxpayers, it cuts down on the amount of expense that is put forth in recruiting these individuals, and it ensures that we get things done on time.

We understand, too, the talent pool that is out there. Many times, too, if you look at it and say that these are the individuals who are available and even if there is a challenge in getting somebody, you can immediately see that, instead of having to wait for time to communicate back and forth between agencies and say, "Well, it doesn't look like in this area that we have the number of individuals that we need; what is the next course of action?" this allows us to get through all of those particular issues and get people in these positions as quickly as possible.

It is just a commonsense piece of legislation that allows our managers to manage in the most effective way possible. It allows us to do the best job for our country, and it allows the best use of taxpayers' dollars.

Mr. Speaker, I urge my colleagues to support S. 1580.

Ms. KELLY of Illinois. Mr. Speaker, I have no additional speakers.

Mr. Speaker, I yield back the balance of my time.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I have no further speakers, and I am prepared to close. I urge adoption of this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. CONNOLLY. Mr. Speaker, I want to express my strong support for the bipartisan, bicameral Competitive Service Act, S. 1580, before the House today. I am pleased to sponsor the House companion, H.R. 2827, of this common-sense legislation with my fellow Virginian, ROB WITTMAN.

Our bill reforms an antiquated and cumbersome hiring system that hinders our nation's ability to efficiently hire the most qualified candidates into federal service. Under current law, federal agencies are prohibited from sharing information about vetted job applicants. For example, when agencies identify finalists for a vacant position in a highly competitive field, such as cybersecurity, no other agency can leverage those efforts and take advantage of applicant screening that's already been performed.

Our bill will empower agencies to share information about the most qualified candidates,

allowing the federal government to effectively recruit the best and the brightest talent while saving taxpayer dollars. It represents a win-win for applicants and agency human resource professionals.

Further this is an important component of a comprehensive effort to modernize the federal hiring process to ensure we can recruit the next generation of civil servants. We are facing a retirement bubble within the federal ranks. Last year, GAO reported that nearly one-third of the federal workforce would be eligible to retire by the end of fiscal year 2017.

We need to begin repairing the significant damage that has been wrought on federal employees. The perception of public service, once lionized by President Kennedy as a noble profession, has steadily been whittled away by the current House majority, which has cut federal pay and benefits. Just try to go to a college campus today and convince a young graduate that they have a promising future federal service.

The relaunch of the USAJobs site later this week is another critical tool that will make the application process more user-friendly and transparent. Our Competitive Service Act will ensure all agencies have ready access to those qualified individuals once they're in the system.

I urge my colleagues to support this common-sense legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JODY B. HICE) that the House suspend the rules and pass the bill, S. 1580, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARTER of Georgia) at 6 o'clock and 30 minutes p.m.

#### MODERNIZATION OF TERMS RELATING TO MINORITIES

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4238) to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 376, nays 0, not voting 57, as follows:

[Roll No. 102]

YEAS—376

Abraham	Denham	Jordan
Adams	Dent	Joyce
Aguilar	DeSantis	Kaptur
Allen	DeSaulnier	Katko
Amash	DesJarlais	Keating
Amodei	Deutch	Kelly (IL)
Ashford	Diaz-Balart	Kelly (MS)
Barletta	Dingell	Kelly (PA)
Barr	Dold	Kennedy
Bass	Donovan	Kildee
Beatty	Doyle, Michael	Kilmer
Benishek	F.	Kind
Bera	Duckworth	King (IA)
Beyer	Duffy	King (NY)
Billirakis	Duncan (SC)	Kinzinger (IL)
Bishop (GA)	Duncan (TN)	Kirkpatrick
Bishop (MI)	Edwards	Knight
Bishop (UT)	Ellison	Kuster
Black	Elmrs (NC)	LaHood
Blackburn	Emmer (MN)	Lamborn
Blum	Engel	Lance
Blumenauer	Eshoo	Langevin
Bonamici	Esty	Larsen (WA)
Bost	Farr	Larson (CT)
Boustany	Fitzpatrick	Latta
Boyle, Brendan	Fleischmann	Lawrence
F.	Fleming	Lee
Brady (PA)	Forbes	Levin
Brat	Fortenberry	Lewis
Bridenstine	Foster	Lieu, Ted
Brooks (AL)	Fox	Lipinski
Brooks (IN)	Frankel (FL)	LoBiondo
Brown (FL)	Franks (AZ)	Loeb
Brownley (CA)	Frelinghuysen	Lofgren
Buchanan	Fudge	Long
Buck	Gabbard	Loudermilk
Bucshon	Gallego	Love
Burgess	Garamendi	Lowenthal
Bustos	Garrett	Lowe
Butterfield	Gibbs	Lucas
Calvert	Gibson	Luetkemeyer
Capps	Goodlatte	Lujan Grisham
Cárdenas	Gosar	(NM)
Carney	Gowdy	Lujan, Ben Ray
Carson (IN)	Graham	(NM)
Carter (GA)	Granger	Lummis
Carter (TX)	Graves (GA)	Lynch
Castor (FL)	Graves (LA)	MacArthur
Chabot	Graves (MO)	Maloney, Sean
Chaffetz	Grayson	Marino
Chu, Judy	Green, Al	Masse
Cicilline	Griffith	Matsui
Clark (MA)	Grijalva	McCarthy
Clarke (NY)	Grothman	McCaul
Clawson (FL)	Guinta	McClintock
Clay	Guthrie	McCollum
Cleaver	Gutiérrez	McDermott
Clyburn	Hahn	McHenry
Coffman	Hanna	McKinley
Cohen	Hardy	McMorris
Cole	Harper	Rodgers
Collins (GA)	Hartzler	McNerney
Collins (NY)	Hastings	McSally
Comstock	Heck (NV)	Meadows
Conaway	Heck (WA)	Meehan
Connolly	Hice, Jody B.	Meeks
Cook	Higgins	Meng
Cooper	Himes	Messer
Costa	Holding	Mica
Costello (PA)	Honda	Miller (FL)
Courtney	Hoyer	Miller (MI)
Cramer	Huelskamp	Moolenaar
Crawford	Huffman	Mooney (WV)
Crenshaw	Huizenga (MI)	Moore
Crowley	Hultgren	Moulton
Cuellar	Hunter	Mullin
Cummings	Hurd (TX)	Murphy (FL)
Curbelo (FL)	Hurt (VA)	Murphy (PA)
Davis (CA)	Israel	Nadler
Davis, Danny	Jeffries	Neal
Davis, Rodney	Jenkins (KS)	Neugebauer
DeFazio	Jenkins (WV)	Newhouse
DeGette	Johnson (GA)	Noem
Delaney	Johnson (OH)	Nolan
DeLauro	Jolly	Norcross
DeBene	Jones	Nugent

Nunes	Roybal-Allard	Tipton
O'Rourke	Royce	Titus
Olson	Ruiz	Tonko
Palazzo	Ruppersberger	Torres
Pallone	Rush	Trott
Palmer	Russell	Turner
Paulsen	Ryan (OH)	Upton
Payne	Salmon	Valadao
Pearce	Sánchez, Linda	Van Hollen
Pelosi	T.	Vargas
Perry	Sanford	Velázquez
Peters	Sarbanes	Visclosky
Peterson	Scalise	Wagner
Pingree	Schakowsky	Walberg
Pittenger	Schiff	Walden
Pitts	Schrader	Walker
Pocan	Schweikert	Walorski
Poe (TX)	Scott (VA)	Walters, Mimi
Poliquin	Scott, Austin	Walz
Polis	Scott, David	Wasserman
Pompeo	Sensenbrenner	Schultz
Posey	Serrano	Waters, Maxine
Price (NC)	Sherman	Watson Coleman
Quigley	Shimkus	Weber (TX)
Rangel	Shuster	Webster (FL)
Reed	Simpson	Welch
Reichert	Sinema	Wenstrup
Renacci	Slaughter	Westerman
Ribble	Smith (MO)	Whitfield
Rice (NY)	Smith (NE)	Wilson (SC)
Rice (SC)	Smith (NJ)	Wittman
Richmond	Stefanik	Womack
Rigell	Stewart	Woodall
Roe (TN)	Stivers	Yarmuth
Rogers (KY)	Stutzman	Yoder
Rokita	Swalwell (CA)	Yoho
Rooney (FL)	Takai	Young (AK)
Ros-Lehtinen	Takano	Young (IA)
Roskam	Thompson (CA)	Young (IN)
Ross	Thompson (MS)	Zeldin
Rothfus	Thompson (PA)	Zinke
Rouzer	Thornberry	

## NOT VOTING—57

Aderholt	Herrera Beutler	Ratcliffe
Babin	Hill	Roby
Barton	Hinojosa	Rogers (AL)
Becerra	Hudson	Rohrabacher
Brady (TX)	Issa	Sanchez, Loretta
Byrne	Jackson Lee	Sessions
Capuano	Johnson, E. B.	Sewell (AL)
Cartwright	Johnson, Sam	Sires
Castro (TX)	Kline	Smith (TX)
Conyers	Labrador	Smith (WA)
Culberson	LaMalfa	Speier
Doggett	Maloney,	Tiberi
Farenthold	Carolyn	Tsongas
Fattah	Marchant	Veasey
Fincher	McGovern	Vela
Flores	Mulvaney	Westmoreland
Gohmert	Napolitano	Williams
Green, Gene	Pascrell	Wilson (FL)
Harris	Perlmutter	
Hensarling	Price, Tom	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1849

Messrs. SIMPSON and RANGEL changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. WILSON of Florida. Mr. Speaker, during rollcall vote No. 102 on Feb 29, 2016, I was unavoidably detained. Had I been present, I would have voted "yes."

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on rollcall No. 102. Had I been present, I would have voted "aye."

Ms. SEWELL of Alabama. Mr. Speaker, during the votes today, I was inescapably detained and away handling important matters related to my District and the State of Alabama. If I had been present, I would have

voted: YES on H.R. 4238—To Amend the Department of Energy on Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities.

Mrs. NAPOLITANO. Mr. Speaker, on Monday, February 29, 2016, I was absent during rollcall vote No. 102. Had I been present, I would have voted "yea" on the motion to suspend the rules and pass H.R. 4238—To amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities.

Mr. GENE GREEN of Texas. Mr. Speaker, I was unable to vote on Monday, February 29, 2016, due to important events being held today in our district in Houston and Harris County, Texas.

If I had been able to vote, I would have voted as follows:

On H.R. 4238, to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities, I would have voted "yea."

#### MOMENT OF SILENCE FOR THE LIVES LOST IN THE STORM OF FEBRUARY 2016

(Mr. FORBES asked and was given permission to address the House for 1 minute.)

Mr. FORBES. Mr. Speaker, I gather today with Representatives from the Virginia delegation, the South Carolina delegation, Mississippi, and Louisiana. We would like to take this opportunity to remember the victims who lost their lives during the devastating storms that ravaged the Gulf and East Coast last week.

In my district, our prayers and deep sympathy are with the loved ones of Larry Turner, Devine Stringfield, and Ian Lewis, who tragically lost their lives after their home was destroyed by the tornado that ripped through Waverly, Virginia, on Wednesday, February 24, 2016. Our thoughts and prayers are also with the many who were injured and whose daily lives were disrupted or, in some instances, permanently altered by this storm.

As communities, we extend our deep gratitude to our local law enforcement, first responders, and emergency personnel for their quick, courageous, and compassionate response in the aftermath of these storms. We are proud, though not surprised, by the way citizens and communities in Virginia and across the East Coast are coming together to support those most affected.

Mr. Speaker, please join me in a moment of silence honoring those who lost their lives, their loved ones, the entire Waverly community, and all those across Virginia, South Carolina, Mississippi, and Louisiana who have been impacted by this storm.

#### HONORING OFFICER ASHLEY M. GUINDON

(Mr. CONNOLLY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. CONNOLLY. Mr. Speaker, I rise to honor the life of Officer Ashley Guindon, a law enforcement officer and Marine Corps Reserve veteran who answered the call to serve her community and her country.

In her heart, Officer Guindon was a guardian. She was willing to step into the breach to protect others.

On Saturday, February 27, one day, Mr. Speaker, after Officer Guindon was sworn in as an officer with the Prince William County Police Department, she did just that.

While responding to a call for help from a domestic violence victim, Officer Guindon was shot and killed by a gunman who had already taken the life of his wife, Crystal Hamilton, a loving mother who cared for our Nation's wounded warriors.

I ask that my colleagues join me in mourning the victims of this latest gun tragedy and, also, in paying tribute to the men and women in law enforcement who give more to this world than they ever ask in return. Mr. Speaker, we pray for their safety.

#### RARE DISEASE DAY

(Mr. COSTELLO of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today on Rare Disease Day to raise awareness about this important issue and to advocate for those who are impacted.

A medical condition is considered rare if fewer than 200,000 people in the U.S. are known to be living with that particular disease.

But while each disease affects a relatively small segment of the population, with over 7,000 different diseases that fall into this category, rare diseases are not uncommon. In fact, 1 in 10 Americans is affected.

I want to commend our researchers at the NIH and in hospitals and research facilities in my district and across the U.S. who have risen to the distinct challenges posed by rare diseases.

These men and women work tirelessly to remain on the cutting edge of medical breakthrough in their search for new treatments and cures, and they deserve our full support.

So, too, do the parents, advocates, and those afflicted who spend their time raising awareness and educating policymakers on issues impacting rare diseases.

I also want to remind us all that there is much left to be accomplished. In the time it takes for one new drug to be developed, tested, and approved for general use, countless other diseases have been newly discovered, leaving us with more questions than answers. That is why the House has taken a critical step by passing the 21st Century Cures Act.



As a member of the Rare Disease Caucus, I urge my colleagues in both Chambers to advance this bipartisan initiative. On this Rare Disease Day and every other day, let us remember that the stakes are high and families are counting on us.

#### REMEMBERING DR. MARGUERITA WASHINGTON

(Mr. ASHFORD asked and was given permission to address the House for 1 minute.)

Mr. ASHFORD. Mr. Speaker, I rise today saddened by the passing of a true public servant, Dr. Marguerita Washington, the long-time publisher of the Omaha Star newspaper.

When the Omaha Star began in 1938, it focused on printing positive news and being a champion for African American progress. When Dr. Washington succeeded her aunt, Mildred Brown, in running the paper, she successfully carried this responsibility for over three decades, making the Omaha Star a national landmark.

Dr. Washington was a robust and principled voice for social justice. Through the Omaha Star, she enlightened the public on a variety of matters, including health care, jobs, and education.

Her advocacy has garnered many well-deserved accolades and awards, including recognition by this body in the CONGRESSIONAL RECORD. She devoted her life to serving the citizens of Omaha, Nebraska, and the impact of her efforts will endure for generations to come.

May God bless Marguerita Washington. May her memory strengthen and comfort all who mourn this remarkable woman.

#### FIRST COLONY LITTLE LEAGUE

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, last Saturday, in the early afternoon, two beautiful words rang out: play ball.

The 2016 First Colony Little League season had begun. All the players are special, but one group stands out. It is called the Dream League.

This is season 9 for the Dream League. 100-plus more players with physical and intellectual challenges played baseball. Each player has at least one volunteer helping them, like Angel in the outfield in this picture to my left.

This picture is what the Dream League is all about, a big ear-to-ear smile for everyone involved. Our Dream League team played in the World Series for Little League in 2015.

America, if you want to see what makes our country so great, come to Sugar Land, Texas. Watch a Dream League game. See kids who are special because of what they can do and not because of what they cannot do.

Batter up.

#### RENEGOTIATION OF WASSENAAR ARRANGEMENT INTRUSION SOFTWARE CONTROLS

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, today we learned of the Obama administration's decision to renegotiate a set of export controls that could have been hugely detrimental to our national security.

I want to thank President Obama for his leadership on cybersecurity generally and specifically on this issue.

In 2013, Wassenaar member states added intrusion software to the list of export-controlled products. While the addition was well-intentioned, since we certainly do not want companies making a profit selling hacking tools to repressive regimes, the language used was simply too broad and encompassed vital cybersecurity tools and even fundamental vulnerability research.

The plan to renegotiate is the culmination of a months-long process involving industry, a number of agencies, and 124 of my colleagues in this Chamber.

Mr. Speaker, I deeply appreciate the work of the Bureau of Industry and Security in shepherding this process and the National Security Council for pushing for its resolution.

Now, we still have work to do with our international partners, but today is a validation of our ability to come together, government and industry, to address difficult challenges in cybersecurity policy. This is a good news story.

□ 1900

#### VOICE FOR THE ESSURE SISTERS

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, I rise to tell the story of Kendra Kilroy of Quincy, Massachusetts, one of tens of thousands of women harmed by the permanent sterilization device Essure.

Because of Essure, she has lived in debilitating pain. She has lived in anxiety, thinking maybe her doctor was right and her symptoms were really just in her head. She lived in sadness, missing out on field trips, school plays, and a Christmas concert for her children because she was too sick and too tired. Mostly, she lived in anger, finding out that the Essure coil was migrating through her fallopian tube and into her body. She now lives in hope, knowing we have people fighting with and for us to protect so many women from the same fate.

Mr. Speaker, I rise as a voice for the Essure sisters, to tell this Chamber that their stories are real, their pain is real, and their fight is real.

My bill, the E-Free Act, can halt this tragedy by removing this dangerous device from the market. Too many women have been harmed.

I urge my colleagues to join this fight because stories like Kendra's are too important to ignore.

#### RARE DISEASE DAY

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, today is Rare Disease Day. It is the reason why I am wearing this special tie given to me by Minnesotan Erica Barnes as part of the Chloe's Fight Rare Disease Foundation's Wear Something Rare campaign.

Now, a rare disease is generally defined as a condition that affects fewer than 200,000 people, and there are approximately 7,000 different types of rare diseases which impact the health of about 30 million Americans, half of which are children.

February 29, a day which is rare in itself, is also set aside to bring awareness and improve access to treatment and medical representation for people living with a rare disease. It is recognized by over 80 countries around the world.

Mr. Speaker, there is more that we can do to help. The House passed the 21st Century Cures Act with strong bipartisan support to help lower barriers to medical innovation and provide critical funding to find cures and treatment for medical afflictions, including rare diseases.

So on this Rare Disease Day, we raise attention to this issue and the need to continue our work to help those who are suffering from rare diseases.

#### TECHNOLOGY IS THE FUTURE

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to congratulate Tom Ardolf and Avant-Garde Technology Liberation for the recent win at the International Consumer Electronics Show. The group earned the Health and Wellness Project of the Year from the Consumer Technology Association.

Ardolf and his group designed an impressive home automation system for a woman who is a quadriplegic. Originally, they were asked to create a system that would allow the woman to easily change the volume on her television. Instead, they went above and beyond, creating a system that allows her to control her entire media center, unlock her door, adjust her lighting, and even place phone calls.

Technology's role in the world is rapidly increasing. With the increase, many new frontiers have been discovered and explored. I am proud to represent a State and district that is home to medical innovation.

I am constantly amazed by how technology has the capacity to improve and even save lives. That is exactly what Tom Ardolf and his team demonstrated with this automation system. I applaud their ingenuity.

#### RECOGNIZING THE GREENFIELD VOLUNTEER FIRE DEPARTMENT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in recognition of the Greenfield Volunteer Fire Department stationed in Erie County, which has been named Pennsylvania's EMS Agency of the Year.

I am proud to have these dedicated volunteers stationed in Pennsylvania's Fifth Congressional District. Just 2 years ago, their department only had two active volunteers, two active members. Now they have a team of 25, with an additional 2 junior members.

Responders say 70 percent of their calls are for emergency services and that their department hasn't missed a call in 2 years. Department officials say that they are overjoyed with the support they have received from both the volunteers and their community.

At a time when many volunteer fire departments in my State and across the Nation are shrinking, it is great to see this kind of growth. Mr. Speaker, it is the dedicated men and women, like the volunteers of Greenfield Township, that make our communities across Pennsylvania safe and great places to call home.

Well done, Greenfield Volunteer Fire Department.

#### NOAA FEES

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, tomorrow the National Oceanic and Atmospheric Administration will begin charging New England fishermen new fees—\$710 per fishing trip, to be exact—that could destroy an historic industry.

Granite State fishermen—just 10 remaining boat operators—are already struggling under regulations that severely limit their catch. Now fishermen like David Goethel will also be responsible for the cost of Federal contractors who monitor them at sea.

NOAA has always paid these associated costs. The agency has delayed implementation of new fees several times over the years, but somehow NOAA has always found the extra money in its \$6 billion budget. In my letter to the chief administrator, I asked where the money is going, and the agency can't account for much of it, nor can they appreciate nor understand the economic impact of its regulations.

The gentleman from Maine (Mr. POLIQUIN) and I introduced legislation

to stop NOAA's new fees. An historic way of life and good jobs up and down the New England coast are at stake. I ask for your help.

#### WE MUST PROTECT OUR ANGELS ABROAD

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Peace Corps volunteers are America's angels abroad. These unique volunteers are some of our best diplomats. They travel to the ends of the Earth to spread the message of democracy in lands far, far away.

Sometimes they work alone, and they help in remote regions of the world, areas where most of us could not even locate with Google Maps. They help small villages with sanitation and lack of water, for instance, and they do it all with great passion.

These volunteers are called to serve. However, we must serve and protect these volunteers as well.

Sometimes bad things happen to Peace Corps volunteers overseas. If so, America must help with medical services. We must help with care and counseling if they are assaulted in a foreign country. That is why Congress passed the Kate Puzey Peace Corps Volunteer Protection Act of 2011.

But Congress must continue to advocate for victims in the Peace Corps. We need to make sure that our volunteers with service-related medical conditions and injuries are cared for and compensated both in the field and when they return home to America.

We must protect these angels abroad. After all, Mr. Speaker, they are ambassadors to the world from America.

And that is just the way it is.

#### RECOGNIZING AMPLIVOX SOUND SYSTEMS

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to recognize AmpliVox Sound Systems, a small business in Northbrook, Illinois.

The Northbrook Chamber of Commerce recently named AmpliVox Business of the Year for 2016. AmpliVox has been providing the community with innovative sound systems since the 1950s and has grown to become an industry leader. In the past 5 years, the company's revenue grew by over 60 percent.

Most admirably, throughout this growth, the company has not lost sight of the community it serves. CEO Don Roth sets an example for small businesses across the Nation through his integrity, vision, and emphasis on community involvement.

Small businesses like AmpliVox are truly the backbone of our economy and our communities. Unfortunately, back-

wards Federal regulations are making it harder and harder for small businesses to thrive and create more jobs.

I am committed to doing all that I can in this body to support small businesses and get more people back to work.

Congratulations, again, to AmpliVox Sound Systems and Don Roth. Thank you for representing the Northbrook community with passion and integrity.

#### SUPPORTING THE LIVE LIKE BELLA CHILDHOOD CANCER FOUNDATION

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to urge our south Florida community to attend the Live Like Bella Superhero 5K Run/Walk this Saturday, March 5, at 8 a.m. at Zoo Miami, as you can see here.

Bella Rodriguez-Torres was the oldest daughter of Shannah and Raymond, the founders of the Live Like Bella Childhood Cancer Foundation.

Bella was diagnosed with an aggressive type of cancer when she was only 4 years old. Doctors and medical experts only gave her a few months to live, but Bella miraculously lived and courageously fought cancer six times until her death in 2013. During that time, Bella never feared. Instead, Bella encouraged everyone around her to enjoy life and appreciate each moment.

By creating this wonderful organization, Bella's parents and all of their supporters fight pediatric cancer while offering much-needed support for families. I encourage everyone in our community to attend this organization's run on Saturday and help end the number one disease killer of children today.

Let's all support the Live Like Bella Foundation.

#### HONORING THE LIFE OF JOSEPH "NORMAN" O'CLAIR

(Mr. POLIQUIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIQUIN. Mr. Speaker, one of our brave American heroes is the late U.S. Army Corporal Joseph O'Clair of Ashland, Maine.

Corporal O'Clair fought for our freedom and was seriously wounded in the brutal month-long Battle of Heartbreak Ridge in Korea.

In November, our congressional office presented Corporal O'Clair with his long-overdue Purple Heart. Sadly, Norm passed away just 2 weeks ago.

Norm was a loving husband, father, and grandfather from a small town in Aroostook County, Maine. He and Lydia were married for more than 61 years and raised five terrific children. After the war, Norm worked alongside two of his three sons at the Fournier Logging and Pinkham Lumber companies. He was an avid outdoorsman, a

terrific woodworker, and a lifelong member of the VFW, Post 9699, in Ashland.

For 240 years, patriotic Americans from small towns across this great country have fought for our freedoms and our way of life. Corporal Joe O'Clair of Ashland, Maine, was among 66,000 courageous veterans throughout Maine's Second Congressional District.

Thank you, Norm, for what you have given us. Your gift will last forever.

#### RECOGNIZING THE LIFE OF PRINCE WILLIAM COUNTY POLICE OFFICER ASHLEY GUINDON

(Mrs. COMSTOCK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize the life of Prince William County Police Officer Ashley Guindon.

Ashley was 28 years old. She was shot and killed while responding to a domestic disturbance in Woodbridge, Virginia, on her first day on the job. She had just been sworn in the previous day, and the incident occurred only 90 minutes into her first training shift. She also had been serving her country and community as a member of the U.S. Marine Corps Reserve.

She was a gifted and skilled officer, and this great sense of service that she had to her country and her community will be so missed by her family, friends, and colleagues on the force.

Twenty-eight years old. She represented the best of our youth, and her tragic murder is a reminder of the sacrifices that law enforcement in my district, in all of Virginia, and throughout our country make every day. We honor her service and her sacrifice and that of all of our dedicated, selfless law enforcement officers. They deserve our honor and respect every day.

I also ask that we continue to pray for her fellow officers, Jesse Hempen and David McKeown, who were also shot during this incident, and we pray for their full recovery.

□ 1915

#### SUPREME COURT VACANCY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from New York (Mr. JEFFRIES) is recognized for 60 minutes as the designee of the minority leader.

Mr. JEFFRIES. Mr. Speaker, it is an honor and a privilege for me to once again stand on the floor of the House of Representatives along with my distinguished colleague from Ohio, Representative JOYCE BEATTY, coanchor of this CBC Special Order hour, this hour of power where, for the next 60 minutes, we will have an opportunity to speak directly to the American people about an issue of grave importance to the integrity of our democracy, and that is making sure that the United

States Senate fulfills their constitutional obligation to advise and consent as it relates to considering any Supreme Court nomination that President Obama sends up to that body.

We know that Justice Antonin Scalia has moved on after a long and distinguished career. Though I disagree with almost every single judicial opinion that he has issued, he served this Nation well.

Now that he has moved on, the Supreme Court, which is contained in Article III of the United States Constitution, has a vacancy. It is the obligation of the United States Senate to fill that vacancy by considering whatever nominee President Barack Obama sends forward.

Members of the United States Senate take an oath of office to faithfully discharge their responsibilities. When you look at Article II, section 2, of the United States Constitution, which gives the President the power to nominate someone to fill a vacancy on the Supreme Court, it is the Senate that must consider that nominee.

Since the early part of the 20th century, there have been eight different Supreme Court nominees who have been voted on in an election year. Six of them actually were confirmed, but all eight of them received a hearing.

So, for the life of me, I can't figure out why Senator MITCH MCCONNELL thinks that he can get away with holding a nomination up without even the slightest bit of consideration. So we are going to explore that here today.

We will be joined by any number of distinguished Members of the House of Representatives and the Congressional Black Caucus, but let me proceed by yielding to my good friend and colleague from Ohio (Mrs. BEATTY), my dynamic coanchor who does such a tremendous job on behalf of the people of the great State of Ohio and the city of Columbus.

Mrs. BEATTY. Thank you so much, Congressman JEFFRIES. It is certainly an honor and a privilege for me to join you this evening as coanchor for this Congressional Black Caucus Special Order hour.

Congressman JEFFRIES' scholarship and distinguished talents as a member of the Judiciary Committee have not gone unnoticed. I thank him for leading by example in challenging us to initiate and follow through in sending a message on Senate Republicans' refusal to act on the Supreme Court vacancy.

In part, tonight's Congressional Black Caucus Special Order hour, Senate Republicans: Do Your Job, does just that.

As you reflected in your opening statement, Article II, section 2, of the Constitution expressly designates that the President has a duty to name and the Senate has a responsibility to advise and consent a nominee to fill the seat.

President Obama takes this very seriously. He has stated: "It's a decision to which I devote considerable time,

deep reflection, careful deliberation, and serious consultation with legal experts, members of both political parties, and people across the political spectrum."

But Republicans have made a decision to completely refuse consideration of anyone that President Obama nominates to the Supreme Court. In fact, they have stated that they won't hold a hearing or a vote before the full Senate.

Senate Democrats never acted so recklessly when faced with this situation in 1988, when there was a vote to confirm Justice Kennedy. There was no talk of doing nothing until after that year's election because it was unthinkable then to leave the Court short-handed for that long. And it remains so now.

The power of the Court, Mr. Speaker, is reflected in the work it does. Its decisions often shape the policy as profoundly as any law passed by Congress or any action taken by the President of these United States.

When we look back to our history, especially as African Americans, the importance of the decisions handed down by the Supreme Court cannot be overstated.

For example, most of us are familiar with *Brown v. Board of Education* in 1954, which reversed *Plessy v. Ferguson* and its "separate but equal" ruling.

Striking down segregation in our Nation's public schools provided a major catalyst for the civil rights movement and made advances in desegregating housing, public accommodations, and institutions of higher education possible.

After *Brown*, the Nation made some great strides towards opening the doors of education to all students. Unfortunately, the promise of the *Brown* decision remains unfulfilled in many ways.

More than 2 million Black students attend schools where 90 percent of the student body is made up of minority students. On average, schools serving more minority populations have less experienced, lower paid teachers who are less likely to be certified.

A report from the Center for American Progress found that a 10 percent point increase in students of color at a school is associated with a decrease in per-pupil spending of \$75.

In many ways, more than 60 years after *Brown v. Board of Education* school systems in the United States are still separate and unequal. And we are just not witnessing educational disparities at the elementary and secondary education level. College enrollment is racially polarized.

White students are overrepresented in selective colleges, which have more resources to educate and to support them, while African American students are overrepresented in less selective institutions.

Mr. Speaker and Congressman JEFFRIES, you see where I am going with that.

This is also why the late Justice Scalia's comments during oral arguments of the pending United States Supreme Court case, *Fisher v. University of Texas at Austin*, were so disturbing.

He stated, in part: Maybe the University of Texas ought to have fewer African Americans.

These comments are inaccurate and insulting to me and to African Americans. They undervalue the historic achievement that African Americans have made.

Thousands of Black Americans have excelled to the top tier of their universities. Many of them you will hear from tonight because they are members of the Congressional Black Caucus.

They are scholars. They are the conscience of the Congress. They represent the diversity of America's best universities and of America's Historically Black Colleges and Universities.

Mr. JEFFRIES. I thank the distinguished gentlewoman for her wonderful thoughts and observations, and I look forward to our continued dialogue.

It is now my honor and privilege to yield to the gentleman from Virginia (Mr. SCOTT), one of those individuals that Representative BEATTY mentioned who is really a legal giant amongst us.

He is someone who has served this institution well. He understands the Constitution, the notion of separation of powers, and the importance of a fair and equitable justice system.

Mr. SCOTT of Virginia. I thank the gentleman from New York and the gentlewoman from Ohio for organizing tonight's Special Order to call on our colleagues in the Senate to do their job and provide their advice and consent on the President's upcoming nomination to the United States Supreme Court.

The Constitution is pretty clear on this issue. Article II, Section 2, doesn't say the President might or the President should. It says the President shall nominate, and by and with advice and consent of the Senate, appoint judges to the Supreme Court.

There seems to be some suggestion that, if it is an election year, he ought to skip that process and let the next President make the appointment. They say there is very little precedence for a President nominating somebody in an election year.

That might be technically correct, but the fact of the matter is that there have been virtually no vacancies that have occurred during an election year. I think the last one was about almost 50 years. In that case, an appointment was made and considered.

That is the process that ought to take place in this case. The rarity of such an event should not preclude the Senate from fulfilling its constitutional responsibility. There is precedent for the President nominating and the Senate at least considering the nomination during an election year.

Now, Justice Kennedy was confirmed in an election year in 1988. That was a

7-month process that began with the appointment of Robert Bork to the Supreme Court. His nomination was considered and defeated.

And then there was the appointment of Douglas Ginsburg. We will just say his nomination went up in smoke. And then we had the nomination and confirmation of Justice Kennedy.

In 7 months, from start to finish, another nomination was made and collapsed and another nomination made, all within 7 months. We could complete that entire process by the first Monday in October, the beginning of the Supreme Court session.

There is no precedence for the President declining to nominate somebody and virtually no precedence for the Senate just to ignore a nomination that is made.

The people overwhelmingly reelected President Obama in 2012 to a term that does not end until January 20, 2017, and we fully expect the President to fulfill his duty to nominate a qualified individual to the Supreme Court to fill the current vacancy.

A failure of the Senate to act this year would be unprecedented. There is ample time for that to take place. The longest confirmation process for a single nominee has been 125 days.

On historic average, it takes 25 days to confirm or reject a nominee. As of today, the Senate has 216 days until the first Monday in October.

If the Senate were to refuse to consider any of President Obama's nominations—and they have said they want the next President to make the appointment—there has been no indication that they will give expedited consideration to the next President's nomination. It could be well into the next year by the time the new Justice is confirmed and sworn in.

Even on an expedited schedule, the new President would not be able to nominate anyone until they are sworn in on January 20. The Senate Judiciary Committee would need time to prepare for hearings, which could not occur until probably February. And then the full Senate would need time to consider the nomination, with the confirmation not likely until probably March.

□ 1930

Now, by March of a term, the term is effectively about over. Most of the oral arguments have already taken place and they are into decisions. You can't participate in a decision if you skip the oral argument.

So not only would the vacancy occur through the rest of this term, almost half of a Supreme Court term, it would be well into the next term and, effectively, through most of the next term.

There is no excuse to leave the Court vacancy open in what then would be a historic new precedence. There is no precedence for keeping a vacancy open that long.

We need the justice appointed. The Senate ought to do its job. The Presi-

dent has indicated that he will do his job, as mandated by the Constitution, and so the Senate ought to just fulfill its responsibility under the Constitution and consider an appointment. Otherwise, you will have a vacancy not only through the rest of this term—and oral arguments have been taking place—you will have the vacancy through the rest of this term. You don't need a vacancy through the entire rest of the next term.

There is plenty of time to consider and vote up or down on a nomination. And the unprecedented vacancy that would occur if the Senate fulfills its threat to stonewall any nomination is just unprecedented.

So I want to thank the gentleman from New York and the gentlewoman from Ohio for giving us the opportunity to just say a word about the importance of everyone in our democracy fulfilling their constitutional responsibilities.

The President shall appoint, and the Senate shall consider, advise and consent, so that we can have a Supreme Court Justice appointed before the first Monday in October.

We have plenty of time to do that. There is no excuse for not doing it, and we expect the Senate to do its job.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentleman from Virginia for highlighting several important points, including the fact that there is no election year exception in Article II, section 2 of the United States Constitution.

This is all in MITCH MCCONNELL's mind, cooked up in some partisan laboratory in order to stop this President from being able to move forward and do the business of the American people.

We shouldn't be surprised, because we know MITCH MCCONNELL stated very early on that his objective was to grind everything to a halt here in the Capitol to try to prevent President Obama from being re-elected. Not my words, his words.

But here's the thing. President Obama was re-elected in an electoral college landslide. And his opponent in that race, Mitt Romney, tried to make it, in part, an election that was a referendum on the possibility that President Obama would have the opportunity to fill a Supreme Court vacancy.

That issue was laid before the American people by President Obama's opponent, and the American people responded, processed all of the facts, and decided to re-elect President Obama, send him back to 1600 Pennsylvania Avenue.

The American people did their job. The President is prepared to do his job. The Senate Republicans need to do their job as well.

It is now my honor and my privilege to yield to someone who has been a stalwart for justice in this institution, a revered Member of the House of Representatives, the great whip of House Democrats, and someone who has the respect of everyone in the United

States Capitol and beyond for his service to the House and his service to the country, a great friend to the Congressional Black Caucus, and we are so thankful that he is present here today.

I yield to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I thank my friend from New York (Mr. JEFFRIES) for his excellent presentation.

I want to thank Mr. SCOTT, who, as the gentleman observed, is one of the leaders in this Congress on the Constitution and on the law and on equal justice.

I want to thank my friend from Ohio, the gentlewoman from Ohio, for her remarks.

I noticed that the chair of the Congressional Black Caucus, Mr. G.K. BUTTERFIELD, formerly a judge on the Court in North Carolina, is here.

Mr. Speaker, I want to first say that I thank the Congressional Black Caucus for sponsoring this Special Order.

I want to tell every Member, and all Americans ought to know, this is not an issue related to one group, to one gender, to one race, to one nationality. The failure to fill the vacancy on the Supreme Court will affect every American. So we rise tonight to ask the Senate to do its duty.

Mr. Speaker, I am pleased to be here on the floor this evening with my distinguished colleagues from the Congressional Black Caucus for this Special Order.

The Supreme Court now has a vacancy, as everyone knows, that must be filled. The American people deserve a Supreme Court operating at full strength.

Mr. Speaker, I am old enough to have been alive at the time that John Kennedy was assassinated. Within hours of his death, we swore in Lyndon Johnson as President of the United States because we wanted to make sure that there was a continuity of service. As sad and as tragic as those hours were, the responsibility of having a President of the United States was met within just a few hours.

Mr. Speaker, when a vacancy occurs in this House—and there are, after all, 434 of us left when that happens—the State laws put a time limit on the Governors' action to call an election so that that vacancy can be filled.

Why?

Because the Constitution of those States do not want to have a vacancy exist for very long and have their State or their district not represented.

Now, there is not a time limit with respect to the Supreme Court, *per se*. And the reason for that, of course, is the process, as Mr. SCOTT just pointed out, sometimes take a little longer, sometimes takes a little shorter.

But in 7 months, as the gentleman pointed out, they had three nominees considered. Two were defeated after debate and a vote, and the third was confirmed. The process worked, and it

worked in the last year of an administration.

President Obama has a constitutional responsibility to nominate a candidate for the Court that will exercise sound judgment, uphold the principle that all people are created equal and must be treated equally under the laws.

The Founders of our country very wisely made the number on the Supreme Court an odd number, not an even number, because the Founders did not want gridlock. Now we are used to gridlock in this Congress. But they did not want gridlock on the Court, and so they provided for a decision to be made by five members out of nine.

Now, however, with four and four, they will maybe not be able to make a decision. That was not contemplated by the Founders, nor would it have been welcomed by the Founders.

Shamefully, Senate Republicans have said they have no intention of even meeting with a nominee put forward by President Obama. That is not only disrespectful of the President of the United States, Barack Obama, but it is contrary to the best interest of the Supreme Court, but more importantly, to the people of this country.

It is appalling that Republicans would prefer to leave a vacancy on the Supreme Court, thereby rendering it in some cases unable to make a decision, unable to perform its duties of being the final arbiter when circuits may differ on an issue.

If Members of one party or another were simply to ignore the other side and refuse to carry out their duties within a divided government, our democracy would break down, and in some respects it has.

We ought not to carry that conduct to the Supreme Court. We must not let that happen and we must not allow this Supreme Court vacancy to remain unfilled.

The Court currently has a number, as the gentleman from New York has pointed out, of major cases pending that require a decision; not to be remanded to a lower court, because if that is done, that judgment may stand for that circuit, but there will be other circuits around the country who may make a different decision.

Mr. Speaker, the Supreme Court has been a powerful safeguard of American's liberty and equality over the past century and beyond.

From recognizing the right of every child to attend desegregated schools, to protecting every loving couple who wishes to marry, the Court has breathed life into the words of our Declaration of Independence that all are "created equal, and they are endowed by their Creator," not by us, not by the Constitution, "by their Creator with certain unalienable rights."

That may be self-evident, Mr. Speaker, but it is not self-executed. And we have established the Supreme Court of the United States to make a decision so that that can be realized.

Melissa Hart, Director of the Byron White Center, a former member of the Supreme Court for Constitutional Law at the University of Denver said, if we don't act, "It would be a monumental crisis for the development of the law and the need to resolve legal questions."

Caroline Frederickson, president of the American Constitution Society for Law and Policy, wrote on February 19, "It would be unfathomable to go through this term," and as Mr. SCOTT pointed out, the next term, "with a Supreme Court hobbled by a vacancy."

Mr. Speaker, let me remind you again, if a President dies, immediately we fill the vacancy. If a Member of Congress dies, every State has a time limit in which that must be filled so that democracy can be represented and operate in the way our Founders wanted it to operate.

When the President nominates a candidate to the Court, the Senate, in my view, Mr. Speaker, has a responsibility under the Constitution to give that nominee every due consideration. They do not have a constitutional responsibility to approve it, as Mr. SCOTT has pointed out, but they have a responsibility to consider it.

We must not allow politics, we must not allow politics, we must not allow politics to allow the obstruction of this most essential institution of our democracy and the rule of law.

I want to thank my friends in the Congressional Black Caucus for leading this Special Order and for their efforts to hold Senate Republicans accountable for their blatantly irresponsible action on this matter.

Mr. Speaker, there is always another election. It may be 2 years away, it may be 4 years away, but if we adopt the principle that if we don't think we can win now, we will obstruct now and hope to win later, America and Americans will not be well-served.

I thank my friend for yielding.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished Democratic whip for a very insightful and powerful observation, for pointing that the very fabric of the United States Constitution is threatened by the willingness of Senate Republicans to abdicate their legislative responsibilities to hold hearings and act on a nomination put forth by the President of the United States of America.

□ 1945

It is now my great honor and privilege to yield to the distinguished chairman of the Congressional Black Caucus, as was pointed out by Mr. HOYER, a former prominent member of the North Carolina judiciary, a legal scholar, a historian, and, of course, the leader of the conscience of the Congress here in the United States House of Representatives.

Mr. Speaker, I yield to the chairman, G.K. BUTTERFIELD.

Mr. BUTTERFIELD. Mr. Speaker, let me begin tonight by thanking the gentleman, Mr. JEFFRIES, for yielding to

me this evening and to thank him for his extraordinary friendship and leadership in the Congressional Black Caucus.

I want to publicly thank you for coming to my district this past weekend. You spoke—some would say you preached—at Mount Vernon Baptist Church in Durham, North Carolina, and I thank you so very much for the message that you brought to my constituents in North Carolina.

Mr. Speaker, moments after the death of Justice Scalia, the majority leader of the United States Senate announced to the country in a tone of defiance that the Senate will not consider any nomination—any nomination—of President Barack Obama to replace Justice Scalia. Mr. Speaker, the American people can see right through this.

Though I represent a Democratic-leaning district in North Carolina, I represent many Republicans in North Carolina. Many of them have told me how disappointed they are with the Senate Republican leadership in making this announcement. Senator MCCONNELL is reinforcing the Republican political agenda to disrupt—to disrupt—governmental functions when the circumstances do not line up with their conservative philosophy.

It is imperative that we have nine members of the U.S. Supreme Court deciding constitutional issues that are important to the American people. The irony in all of this is that my Republican friends constantly on this floor talk about strict construction of the Constitution. A strict construction of the Constitution, as Mr. HOYER said a moment ago, requires the President to nominate an individual once there is a vacancy on the Court. The Senate, the United States Senate, has the awesome responsibility of having a hearing, deciding, and confirming the nomination by an up-or-down vote. So it is absurd to suggest that President Obama should be denied the opportunity to nominate a qualified Justice to replace Justice Scalia.

The American people should clearly understand that Senate Republicans have a political agenda to pack the Court with conservative Justices who would reverse years of commonsense progressive jurisprudence. So the Congressional Black Caucus tonight demands Senate Republicans to stop the complete blockade and the blatant disrespect of our President.

Senate Republicans' outright refusal to hold a hearing on any individual nominated by the President to serve on the Court is an affront to our Constitution and the American people. Such divisive actions undermine our democracy and reduce our standing in the world. This blockade is an obstruction and runs afoul of the duties held by those who hold a seat in the august Chamber of the United States Senate.

I have read that Senator GRASSLEY, Senator MCCONNELL, and others will meet with President Obama this week.

I hope they meet. I hope they sit together and reconcile their differences because this issue needs to be put to rest. We call on Senate Republicans to hold hearings once President Obama submits his nomination and follow the procedures set forth in the Constitution.

In short and in closing, the Congressional Black Caucus, the 45, 46 members of the Congressional Black Caucus—and, indeed, the American people—have one message—one message—for Senate Republicans: Do your job. Don't play partisanship. Don't play a partisan game with the Supreme Court of the United States of America. It is too serious. It is too important.

Thank you very much, Mr. JEFFRIES.

Mr. JEFFRIES. I thank the distinguished chair for pointing out that this is a simple question for Senate Republicans: Do your job consistent with your obligations and responsibilities under Article II, section 2 of the United States Constitution.

The Senate Republicans' failure to act or consider any nominee put forth by the President of the United States of America is an abdication of responsibility, a dereliction of duty, and it would be a stunning act of legislative malpractice that undermines the rule of law, the Presidency, the Supreme Court, the United States Constitution, as well as the American people.

I am thankful now to be joined by someone who is a powerful voice for the voiceless here in the House of Representatives, who has ably served her constituents in northern California and consistently fought for a fair, equitable society. Let me now yield to my good friend, the distinguished gentlewoman from California, Representative BARBARA LEE.

Ms. LEE. Mr. Speaker, let me thank the gentleman from New York for yielding, but also for his tremendous leadership.

You and Congresswoman JOYCE BEATTY from Ohio really have sounded the alarm, beat the drum, and really brought to the American people the important issues that we are dealing with each and every day, so I just have to thank you for your diligence and for staying the course. Every week you are here, you are representing not only this Congress, but the country very, very well. So thank you.

Mr. Speaker, I rise today with all my colleagues from the Congressional Black Caucus, with our whip, Mr. HOYER, and others to urge our Republican colleagues in the Senate to, of course, do your job.

Also, let me just remind us, once again, the President is trying to meet his constitutional obligation once again. He is trying to do what he is supposed to do, and that is to nominate Justice Scalia's replacement to our Nation's highest Court. And Senate Republicans have a constitutional responsibility to give the President's nominee a speedy and fair hearing, followed up with a simple up-or-down vote.

Sadly, these Senate Republicans said "no" to their constitutional responsibility. The Supreme Court has a huge responsibility of deciding cases that impact every aspect of American life, from our elections, college admissions, to scientific patents and a woman's right to make her own healthcare decisions. It is imperative that the Supreme Court be allowed to function in its full capacity with nine Justices.

Former Supreme Court Justice Sandra Day O'Connor, who was appointed by a conservative President, President Ronald Reagan, did not mince words in her condemnation of Republicans playing politics with the Court. She said: "We need somebody in there to do the job and just get on with it."

Former Justice O'Connor, I could not agree more.

Despite the calls for action and a constitutional mandate, Senate Majority Leader MITCH MCCONNELL of Kentucky has said that there will be no hearings, no votes, not even a meeting with President Obama to discuss the late Justice Scalia's replacement.

That is just wrong. His actions prompted The New York Times to editorialize that he "seems to have lost touch with reality and the Constitution," speaking of Majority Leader MITCH MCCONNELL.

Mr. Speaker, I include in the RECORD a couple of New York Times articles.

[From the New York Times, Feb. 17, 2016]

BLACKS SEE BIAS IN DELAY ON A SCALIA SUCCESSOR

(By Maggie Haberman and Jonathan Martin)

CHARLESTON, SC.—As he left Martha Lou's Kitchen, a soul food institution here on Wednesday, Edward Gadsden expressed irritation about the Republican determination to block President Obama from selecting Justice Antonin Scalia's replacement on the Supreme Court.

"They've been fighting that man since he's been there," Mr. Gadsden, who is African-American, said of Mr. Obama, before pointing at his forearm to explain what he said was driving the Republican opposition: "The color of his skin, that's all, the color of his skin."

When Senator Mitch McConnell of Kentucky, the majority leader, said after Mr. Scalia's death on Saturday that the next president, rather than Mr. Obama, should select a successor, the senator's words struck a familiar and painful chord with many black voters.

After years of watching political opponents question the president's birthplace and his faith, and hearing a member of Congress shout "You lie!" at him from the House floor, some African-Americans saw the move by Senate Republicans as another attempt to deny the legitimacy of the country's first black president. And they call it increasingly infuriating after Mr. Obama has spent seven years in the White House and won two resounding election victories.

"Our president, the president of the United States, has been disrespected from Day 1," Carol Richardson, 61, said on Wednesday as she colored a customer's hair at Ultra Beauty Salon in Hollywood, S.C., a mostly black town near Charleston. "The words that have been said, the things the Republicans have done they'd have never have done to another president. Let's talk like it is, it's because of his skin color."



Reflecting on the Supreme Court vacancy, Bakari Sellers, a former state representative from Denmark, S.C., likened the Senate treatment of the president to the 18th century constitutional compromise that counted black men as equivalent to three-fifths of a person.

"I guess many of them are using this in the strictest construction that Barack Obama's serving three-fifths of a term or he's three-fifths of a human being, so he doesn't get to make this choice," Mr. Sellers said. "It's infuriating."

The anger and outrage that Mr. McConnell's position has touched off among African-Americans could have implications for the presidential election. Leading African-American Democrats are trying to use it to motivate rank-and-file blacks to vote in November, the first presidential election in a decade in which Mr. Obama will not be on the ballot and in which Democrats fear black participation could drop.

"Anger becomes action when it's directly tied to a moment, and the moment now is the election on Nov. 8," said Stacey Abrams, a Democratic state representative from Georgia and the House minority leader there, adding that Mr. Scalia's death meant that this presidential campaign could no longer be construed as a mere "thought exercise."

For Hillary Clinton, who is increasingly relying on nonwhite voters to ensure her success against Senator Bernie Sanders of Vermont, the court issue could be especially crucial. Should she defeat Mr. Sanders, who has electrified many liberals, she will need a motivating issue to bring Mr. Obama's loyalists to the polls. She moved swiftly Tuesday to tap into the anger of blacks over the opposition of Senate Republicans to Mr. Obama's naming a replacement for Justice Scalia.

"Now the Republicans say they'll reject anyone President Obama nominates no matter how qualified," Mrs. Clinton said in remarks before a predominantly black audience in Harlem. "Some are even saying he doesn't have the right to nominate anyone! As if somehow he's not the real president."

Doing so, Mrs. Clinton added, is in keeping with a longstanding pattern of mistreatment.

"They demonize President Obama and encourage the ugliest impulses of the paranoid fringe," she said. "This kind of hatred and bigotry has no place in our politics or our country."

Republicans are especially sensitive about the notion that they are diminishing Mr. Obama because of his race, and spokesmen for several Republican senators, including Mr. McConnell and Senator Tim Scott of South Carolina, declined to comment or would not make the senators available for comment.

The suggestion that racism is playing a role angers Mr. McConnell's friends, who point out that his formative political experience was working for a Republican senator who supported civil rights, that he helped override President Ronald Reagan's veto of sanctions against the apartheid government in South Africa and that he is married to an Asian-American woman.

But in the aftermath of Mr. McConnell's statement on Saturday, a growing chorus of black voices is complaining that such a refusal to even consider a Supreme Court nominee would never occur with a white president.

"It's more than a political motive—it has a smell of racism," said Representative G. K. Butterfield, Democrat of North Carolina, the chairman of the Congressional Black Caucus.

"I can tick instance after instance over the last seven years where Republicans have purposely tried to diminish the president's au-

thority," Mr. Butterfield said. "This is just really extreme, and leads me to the conclusion that if this was any other president who was not African-American, it would not have been handled this way."

Even as Mr. Obama's popularity has risen and fallen, his base of support among black voters has been unshakable. A Gallup tracking poll this month showed that some 85 percent of African-Americans approved of the president's performance compared with only 36 percent of whites. And many African-Americans strongly identify personally with Mr. Obama, and have watched his tenure with pride.

Mr. Butterfield said that he believed that the effort to undermine, and even delegitimize, Mr. Obama began soon after he was sworn in, and that Congressional Republicans had blocked Mr. Obama's agenda wherever they could. Even more stinging were the suggestions from some on the right that Mr. Obama, a Christian, is actually a Muslim and that he was not born in the United States.

In interviews, members of the Congressional Black Caucus also bitterly recounted indignities, such as demands—most pointedly from the current Republican front-runner in the polls, Donald J. Trump, in 2011—that Mr. Obama prove he was born in Hawaii, and not in Kenya, as some critics claimed. Others recalled the calls to impeach Mr. Obama over his use of executive authority.

"You hear the thing about: 'He's not a citizen. He oversteps his bounds. He's divisive.' One thing after another," said Representative Marcia L. Fudge, Democrat of Ohio. "This has been going on since the day he was elected in 2008."

Republicans have had more success than Democrats in recent decades galvanizing their voters over who should control the courts. But Jennifer McClellan, a member of the Virginia House of Delegates and the Democratic National Committee, said the dispute over how to replace Justice Scalia could now become "an issue for the average citizen."

Ms. Abrams agreed, saying the Supreme Court and its powerful influence on people's lives is especially resonant with blacks. "Congress is denying our president his rights as a president, but, more than that, they're denying the legacy of his presidency," she said. "That will animate Democratic voters across the board but especially African-Americans, who realize more than many voters how great an impact the Supreme Court can have on freedom."

[From the New York Times, Feb. 24, 2016]

#### SENATE REPUBLICANS LOSE THEIR MINDS ON A SUPREME COURT SEAT

(By the Editorial Board)

Following the death of Justice Antonin Scalia, Senate Republicans apparently believe they can profit by creating a political crisis that the nation has never seen before. On Tuesday, the leadership doubled down on its refusal to take any action on any nominee from President Obama to replace Justice Scalia.

Senator Mitch McConnell of Kentucky, the majority leader who seems to have lost touch with reality and the Constitution, accused Mr. Obama of plunging the nation into a "bitter and avoidable struggle" should he name anyone to the court.

Forget an up-or-down vote on the Senate floor. Top Republicans are pledging not to hold hearings or even to meet with a nominee.

In a statement dripping with sarcasm, Mr. McConnell said that Mr. Obama "has every right to nominate someone," and "even if doing so will inevitably plunge our nation

into another bitter and avoidable struggle, that is his right. Even if he never expects that nominee to actually be confirmed but rather to wield as an electoral cudgel, that is his right."

Senator John Cornyn of Texas, the majority whip, said, "We believe the American people need to decide who is going to make this appointment rather than a lame-duck president."

These statements are so twisted that it's hard to know where to begin. Let's take them one by one.

First, Mr. Obama is not a "lame-duck president." The lame-duck period is broadly understood to run from after the November election until a new president is inaugurated in January. November is more than eight months off. Based on the average number of days it has taken the Senate to act on previous Supreme Court nominees, the seat could be filled by this spring.

Second, no matter how often Republicans repeat the phrase "let the people decide," that's not how the system works. The Constitution vests the power to make nominations to the court in the president, not "the people." In any case, the people have already decided who should make this appointment: They elected Mr. Obama twice, by large margins.

Third, it is preposterous to accuse Mr. Obama of causing a "bitter struggle" by nominating someone who will not be confirmed. The only reason a nominee would not be confirmed is that the Senate has preemptively decided to block any nominee sight unseen. Mr. Obama is once again the only adult in the room, carrying out his constitutional obligation while Senate Republicans scramble to dig up examples of Democrats trying to block nominees. But those examples show only that Democratic senators have pushed hard for Republican presidents to pick ideologically moderate nominees. Until now, neither party has ever vowed to shut down the nomination process entirely, even before it has begun.

Only two Republican senators, Mark Kirk of Illinois and Susan Collins of Maine, were brave enough to say that they would vote on President Obama's nominee. This is what passes for moderation in today's G.O.P.: simply stating a willingness to do the job you were elected to do.

Unfortunately, for too many Republicans moderation now equals apostasy. These Republicans have stubbornly parked themselves so far to the right for so many years that it is hard to tell whether they can hear how deranged they sound.

The truth is they are afraid—and they should be. They know Mr. Obama has a large pool of extremely smart and thoroughly mainstream candidates from which to choose a nominee. They know that if the American people were allowed to hear such a person answer questions in a Senate hearing, they would wonder what all the fuss was about.

So Mr. McConnell and his colleagues plan to shut their doors, plug their ears and hope the public doesn't notice. The Republican spin machine is working overtime to rationalize this behavior. Don't be fooled. It is panic masquerading as strength.

Ms. LEE. One of the titles of these articles is "Blacks See Bias in Delay on a Scalia Successor." The other is The New York Times article, "Senate Republicans Lose Their Minds on a Supreme Court Seat."

Likewise, Judiciary Committee Chair CHARLES GRASSLEY of Iowa led a letter to the majority leader signed by all the Republican Committee members confirming their resolve to not have hearings or a vote on the nominee.

This is downright ludicrous. Republicans cannot and should not use the Supreme Court to push their radical political agenda.

The Constitution is clear, Mr. Speaker. Article II, section 2, "He shall have power, by and with the advice and consent of the Senate . . . shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court."

Nowhere in the Constitution does it say, "except in an election year" or "except when the President is a Democrat" or "when Republicans have spent the last 7 years actively working to subvert every policy proposed by a President elected by nearly 70 million Americans." The Constitution doesn't say that. This is simply unacceptable, and the American people deserve better.

For more than a century, every single Supreme Court nominee has received a vote on the floor of the United States Senate. Just like all the Presidents before him, President Obama should nominate a Supreme Court Justice, and the Senate should determine if he or she is fit to serve on this Nation's High Court.

Instead, Republicans are holding the Supreme Court and the American people hostage.

Their action, in the words of The New York Times, is simply, "panic masquerading as strength." The Senate has a responsibility to at least consider the President's Supreme Court nominee, and by refusing to do so, they are failing their constituents and their Nation.

So, Mr. Speaker, it is really past time for Majority Leader MCCONNELL and the rest of the Republican leadership to do their jobs and work together to get a new Supreme Court Justice. The Supreme Court is way too important to be used as a political bargaining chip. Enough is enough.

So, once again, I join my colleagues, Congressman JEFFRIES, Congresswoman BEATTY, members of the Congressional Black Caucus, and the American people in saying, "Do your job."

Once again, thank you for giving me the opportunity to join with you tonight.

Mr. JEFFRIES. I thank the distinguished gentlewoman from California for making several important points as it relates to the absence of any partisanship exception in the United States Constitution, the absence of any exception whereby the Senate will do its job unless, of course, President Barack Obama happens to occupy 1600 Pennsylvania Avenue. I see that nowhere within the four corners of the United States Constitution. I don't see an election year exception in the United States Constitution. So I am perplexed as to what is the situation we find ourselves in right now.

I thought that I may ask the distinguished gentlewoman, my colleague, my coanchor from Ohio, to reflect

upon, if you might, a few comments that could shed light on the situation we find ourselves in right now as it relates to the Supreme Court vacancy made by Senate Majority Leader MITCH MCCONNELL over the years during his time here in Congress.

In 1986, MITCH MCCONNELL said: "I believe that a heavy burden must be met by those who would have this nominee rejected. Under the Constitution, our duty is to provide advice and consent to judicial nominations, not to substitute our judgment for what are reasonable views for a judicial nominee to hold." That was in 1986.

Then in 1990, he said: "It is clear under our form of government that the advice and consent role of the Senate in judicial nominations should not be politicized." That was MITCH MCCONNELL in 1990.

In 2005, he said: "Our job is to react to that nomination in a respectful and dignified way, and at the end of the process, to give that person an up-or-down vote as all nominees who have majority support have gotten throughout the history of the country."

I am trying to figure out what has changed, Representative BEATTY.

Mrs. BEATTY. Thank you so much, Congressman JEFFRIES.

Hearing you quote those things, three things come to mind. First, let me say that Congressman STENY HOYER was absolutely right when he says that this issue of not filling the vacancy is not related to only one group. So I want to say, after hearing what you said and many others of our members of the Congressional Black Caucus, it is important for us to know why we are calling on the Senate Republicans to do their job, and that is because we are the voice for those who are not often represented. We are the voice for those when you talk about issues related to women and women's rights, when you talk about issues that are related to things that affect you and me, and when you talk about the article that Congresswoman BARBARA LEE entered into the RECORD, "Blacks See Bias in Delay on a Scalia Successor."

Now, that article says it all. That article specifically states that many folks believe, in this wonderful America that we live in, that it is also because of the color of his skin. I think that is another reason that we come as a strong 46 members of the Congressional Black Caucus, because the facts work against them.

Think about it. When we look at the number of people who have been appointed, when we look at the number of days, if you look at since 1975, it has only taken an average of 67 days to confirm a President's nominee to the Supreme Court. The Senate has never taken more than 125 days to vote on a Supreme Court nominee, and there are 325 days left in President Obama's term.

□ 2000

Since the early 1900s, six Supreme Court Justices have been confirmed in

an election year. When I think about your question and I think about your sharing with us some of the comments that Senate Majority Leader MITCH MCCONNELL has said, let me add this one to the RECORD. And it is something he got right.

He said that the American people should have the right to choose the President who will pick the next Supreme Court Justice deciding the future balance of the Nation's highest court. Well, he got that right. Because you know what. The people did pick the President when they picked President Barack Obama in 2012, who won the election by 5 million votes.

I am calling on him and the Senate Republicans to do their job, to allow the President to do what the Constitution tells us, to allow the President, who has already said that he is going to bring somebody who is full of scholarship, he is going to bring someone who is committed and capable to doing the people's work—I wanted to add that to your statement and share with everyone tonight that is why we are here.

Mr. JEFFRIES. I really appreciate that.

As we are simply trying to point out, all we are asking for is for the Senate to adhere to its constitutional responsibilities and, when the President sends forth a nominee, to conduct a rigorous hearing process before the American people and then, at the end of that process, provide that nominee with an up-or-down vote before the Judiciary Committee and then, ultimately, the floor of the United States Senate.

Now, I have been in this institution for a little over 3 years. If I had a dollar for every time some of my colleagues mentioned strict adherence to the United States Constitution, I would be a billionaire right now. For the life of me, I can't understand what is so complicated about this particular issue.

As Representative BEATTY so ably pointed out, from this moment, there are 325 days remaining in the Presidency of Barack Obama.

As this chart illustrates, if you just take a look at the current occupants of the Supreme Court, Justice Roberts, the Chief Justice, the most important position on the Supreme Court, a 23-day confirmation process; Justice Scalia, confirmed in 85 days; Justice Kagan, 87 days; Justice Sotomayor, 66 days; Justice Ruth Bader Ginsburg, a/k/a the notorious RBG—one of my personal favorites—50 days; Justice Clarence Thomas, 99 days.

You can add some of these confirmation periods together and you still wouldn't get to 325. So what is the problem?

Mr. Speaker, how much time do I have remaining on my Special Order today?

The SPEAKER pro tempore. The gentleman from New York has 12 minutes remaining.

## GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JEFFRIES. Mr. Speaker, one of the concerns that I think we in the Congressional Black Caucus have as it relates to the Presidency of President Obama—and Representative BEATTY pointed this out—is that there is a feeling in many corners of America that this President is treated differently.

I am not sure if it is because there are some people here in the Capitol who have something against folks from Hawaii. I am not sure if it is his Kansas roots. I don't know if they dislike the fact that he was a community organizer in terms of one of the jobs that he held after school.

I don't know if they dislike the fact that he is so well educated from Columbia and Harvard Law Schools. I don't know if it is the fact that he was the President of the Harvard Law Review or a constitutional law professor at the University of Chicago Law School, one of the top five law schools in this country.

I don't really know what it is about Barack Obama that they want to treat him differently than almost any other President who has served at 1600 Pennsylvania Avenue. I am trying to figure it out. What is it about Barack Obama that he has to be treated with such disrespect?

The amazing thing to me is that they have actually failed to stop this President. They gave him no assistance as it relates to trying to turn the economy around.

He inherited a train wreck from George W. Bush and has gotten the economy back on track. Not a single Member from the other side of the aisle voted for the stimulus package, which was necessary to stabilize the economy and then build it up.

There was 71 consecutive months of private sector job creation, and 14 million-plus private sector jobs were created under this Presidency. The unemployment rate has gone from over 10 percent to under 5 percent. The stock market has gone from 6,000 to over 16,000.

The deficit has been reduced by more than \$1 trillion. Gas prices are below \$2 per gallon. More than 18 million previously uninsured Americans now have health coverage.

Not a single one of those accomplishments occurred with a vote from the other side of the aisle. What is it about this President that they don't like?

Now, in his final term—and, by the way, speaking to strict constructionists—when you look at the United States Constitution, I can't find a 3-year term. I can't find it. It is a 4-year term with 325 days left.

All we are asking is that they just do their job. It is pretty simple. Give whoever the President puts forth a fair hearing. They have the votes to defeat any of his nominees.

Let me ask my colleague from Ohio. What I haven't been able to understand is this Justice who I have disagreed with on many issues. Although he was strong—Justice Scalia—on the privacy rights of the American people, the Fourth Amendment—was concerned about the criminalization of politics, these are areas where there is some common ground.

And certainly he was a giant in terms of legal thought. The news of his demise was barely out for public consumption when MITCH MCCONNELL issued a statement saying: We are not considering anyone that President Obama puts forth.

How do you explain that? How do you interpret that reaction? We couldn't even respect the death of Justice Scalia before the vacancy was politicized, before he was even buried and funeralized.

Mrs. BEATTY. Congressman JEFFRIES, I think you answered that question for me when you gave the long list of successes that this President has done without their help.

That gave me pause to think: What is it that is keeping them from doing their job? Why is it that they are so threatened?

Maybe it is the success that this President has brought forth not for you and I, not for the 435 Members of us, but he has done this for this Nation. He has made it a better place.

When we look at what the Justices do and represent, when we think about liberties and freedoms and the economy and our rights, I think they are afraid that he will appoint someone who will have that same scholarship, who will have that same success, someone who will bring balance. I think they are afraid of the balance.

In the words of another one of our colleagues, I might add, from the great State of Ohio, Congresswoman MARCIA FUDGE, former chair of the Congressional Black Caucus—she has words that she is entering, but I would like to quote from her words to remind us why we are saying: Senate Republicans, do your job.

She reminds us, as Members of Congress, we made a promise to our constituents that we would faithfully discharge the duties and the oath of office which we took, which we were elected to. She reminded me in her words that it is so important for us to say tonight to the Senate: Do your job. Do your job.

I think they are afraid. So I am going to issue a challenge. Congresswoman BARBARA LEE said that you are here tonight initiating this topic because we are sounding the alarm, we are ringing the bell.

I challenge them to answer that question. I challenge them to share with not only the Congressional Black

Caucus, not only the Members of Congress, not only the Members of the Senate, but they have an obligation to America, to the citizens of these United States, Mr. Speaker, for them to tell us why they are not doing their job.

Mr. JEFFRIES. I thank the distinguished gentlewoman for those very powerful words. I can only hope, as we close this Special Order hour, that our colleagues from across this Capitol will see fit simply to adhere to their constitutional responsibilities to consider any nominee put forth by President Obama comprehensively and fairly and to faithfully execute those obligations consistent with their oath of office, not for the good of this President, not for the good of this Article I Congress, but for the good of the United States of America.

I yield back the balance of my time.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. MCCARTHY) for today and March 1 on account of district business.

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today and March 1 on account of representational duties in her congressional district.

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Ms. PELOSI) for today and March 1.

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today through March 4.

## ADJOURNMENT

Mr. JEFFRIES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 1, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4494. A letter from the Acting Principal Deputy for the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing ten officers to wear the insignia of the grade of major general or brigadier general, as indicated, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

4495. A letter from the Acting Principal Deputy for the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Colonel Paul H. Pardew, United States Army, to wear the insignia of the grade of brigadier general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

4496. A letter from the Acting Principal Deputy for the Under Secretary, Personnel

and Readiness, Department of Defense, transmitting a letter on the approved retirement of General John F. Campbell, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

4497. A letter from the Secretary, Department of Health and Human Services, transmitting a letter regarding the potential for a public health emergency that exists involving the Zika virus, pursuant to 21 U.S.C. 360bbb-3; June 25, 1938, ch. 675, Sec. 564 (as added by Public Law 1 08-136, Sec. 1603(a)); (117 Stat. 1684); to the Committee on Energy and Commerce.

4498. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-134, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

4499. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-052, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

4500. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-086, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

4501. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-123, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

4502. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-100, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

4503. A letter from the Secretary, Department of Commerce, transmitting a certification for calendar year 2015, consistent with the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction, adopted by the Senate of the United States on April 24, 1997, and Executive Order 13346 of July 8, 2004; to the Committee on Foreign Affairs.

4504. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program [Docket No.: 151223999-6040-01] (RIN: 0648-BF68) received February 26, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

4505. A letter from the Assistant Attorney General, Department of Justice, transmitting the Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act, pursuant to 22 U.S.C. 621; June 8, 1938, ch. 327, Sec. 11 (as amended by Public Law 104-65, Sec. 19); (109 Stat. 704); to the Committee on the Judiciary.

4506. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter and relevant documentation concerning the implementation of commitments in the Joint Plan of Action, pursuant to the Iran Freedom and Counter-Proliferation Act of 2012, the Iran Sanctions Act of 1996, the Iran Threat Reduction and Syria Human Rights Act of 2012, and the National Defense Authorization Act for Fiscal Year 2012; jointly to the Committees on Foreign Affairs, the Judiciary, Oversight and Government Reform, Financial Services, and Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1471. A bill to reauthorize the programs and activities of the Federal Emergency Management Agency; with an amendment (Rept. 114-436). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 4401. A bill to authorize the Secretary of Homeland Security to provide countering violent extremism training to Department of Homeland Security representatives at State and local fusion centers, and for other purposes (Rept. 114-437). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 4084. A bill to enable civilian research and development of advanced nuclear energy technologies by private and public institutions and to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science; with an amendment (Rept. 114-438). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 4557. A bill to allow for judicial review of any final rule addressing national emission standards for hazardous air pollutants for brick and structural clay products or for clay ceramics manufacturing before requiring compliance with such rule (Rept. 114-439). Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KILMER (for himself and Mr. HECK of Washington):

H.R. 4648. A bill to provide incentives for investment in green stormwater infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. JACKSON LEE (for herself, Mr. CONYERS, Ms. BASS, Mr. HASTINGS, Mr. LEWIS, Ms. LEE, Ms. MOORE, Ms. CLARKE of New York, Mr. MEEKS, and Ms. SEWELL of Alabama):

H.R. 4649. A bill to support the International Decade for People of African Descent, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BUCHANAN (for himself and Mr. PASCRELL):

H.R. 4650. A bill to amend title XVIII of the Social Security Act to provide for an extension of certain Medicare long-term care hos-

pital payment rules; to the Committee on Ways and Means.

By Mr. MCCAUL (for himself, Mr. LAN-GEVIN, Mr. MEEHAN, Ms. DELBENE, Mr. BISHOP of Michigan, Mr. TED LIEU of California, Mr. HURD of Texas, Miss RICE of New York, Mr. FARENTHOLD, Mr. SWALWELL of California, Mr. DONOVAN, Mr. MCNERNEY, Mrs. COMSTOCK, Mrs. MIMI WALTERS of California, Mr. COSTELLO of Pennsylvania, and Mr. REICHERT):

H.R. 4651. A bill to establish in the legislative branch the National Commission on Security and Technology Challenges; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKAI (for himself, Ms. JUDY CHU of California, Mr. HONDA, Ms. NORTON, Mr. BRADY of Pennsylvania, Ms. CLARKE of New York, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. MOORE, Mr. PALLONE, Ms. LEE, Mr. TED LIEU of California, Mrs. WATSON COLEMAN, Mr. NOLAN, Ms. SCHAKOWSKY, Mr. RANGEL, and Ms. JACKSON LEE):

H.R. 4652. A bill to amend the Higher Education Act of 1965 to codify the Revised Pay As You Earn Repayment plan, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TONKO (for himself, Mr. PAL-LONE, Mrs. CAPPS, Mr. CÁRDENAS, Mr. GENE GREEN of Texas, and Mr. MCNERNEY):

H.R. 4653. A bill to amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency's ability to enforce the requirements of the Act; and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARSON of Indiana (for himself, Mrs. MILLER of Michigan, Ms. BORDALLO, Mr. BUTTERFIELD, Mr. CÁRDENAS, Ms. CLARKE of New York, Mr. CROWLEY, Mr. GRIJALVA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MARINO, Mr. MCCAUL, Mr. PAYNE, Mr. PETERS, Mr. RANGEL, Ms. ROS-LEHTINEN, Mr. VAN HOLLEN, Mr. VARGAS, and Mr. YODER):

H. Res. 627. A resolution expressing support for the designation of February 29, 2016, as "Rare Disease Day"; to the Committee on Energy and Commerce.

By Mr. RICHMOND:

H. Res. 628. A resolution expressing the sense of the House of Representatives that the African-Americans who duly won election to the House during the post-Civil War Reconstruction Era but were wrongly denied the right to take their seats should be recognized as former Members of the House; to the Committee on House Administration.

By Mr. THOMPSON of California (for himself, Mr. COSTA, Mr. LEVIN, Mr. RANGEL, Ms. LEE, Mr. HASTINGS, Mr. ENGEL, Ms. TSONGAS, Ms. NORTON, Mr. GRIJALVA, Ms. CLARK of Massachusetts, Mr. TAKANO, Mr. PASCRELL, Ms. EDWARDS, Ms. BONAMICI, Mrs. NAPOLITANO, Ms. LINDA T. SÁNCHEZ of California, Mr. LOWENTHAL, Ms.

BORDALLO, Ms. SPEIER, Ms. DELAURO, Mrs. BROOKS of Indiana, Ms. WASSERMAN SCHULTZ, Ms. SCHAKOWSKY, Ms. MATSUI, Ms. HAHN, Mr. SWALWELL of California, Mr. SIRES, Ms. ADAMS, Ms. ESHOO, Ms. WILSON of Florida, Mr. LARSEN of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SINEMA, Mr. MCDERMOTT, Mrs. BUSTOS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. NADLER, Mr. KIND, Mr. POCAN, Mr. HINOJOSA, Ms. LOFGREN, Mr. HONDA, Mr. YARMUTH, Mr. SMITH of Washington, Mr. TED LIEU of California, Mrs. DINGELL, Mr. LOEBSACK, Mr. DESAULNIER, Ms. TITUS, Ms. JACKSON LEE, Mr. VAN HOLLEN, Mr. PETERS, Ms. BROWNLEY of California, Ms. JUDY CHU of California, Ms. PINGREE, Mr. CICILLINE, Ms. ESTY, Mr. GARAMENDI, Mr. RUIZ, Ms. LORETTA SANCHEZ of California, Mr. DAVID SCOTT of Georgia, Ms. MCCOLLUM, Mr. ELLISON, Mr. DANNY K. DAVIS of Illinois, Mr. FARR, Mr. LANGEVIN, Mr. BRADY of Pennsylvania, Mr. COHEN, Ms. KAPTUR, Mr. LARSON of Connecticut, Mrs. WATSON COLEMAN, Mrs. BEATTY, Mr. JEFFRIES, Ms. SLAUGHTER, Mr. VISCLOSKEY, and Mr. HUFFMAN):

H. Res. 629. A resolution supporting the goals and ideals of National Women's History Month; to the Committee on Oversight and Government Reform.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KILMER:

H.R. 4648.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 3 of section 8 of article I of the Constitution.

By Ms. JACKSON LEE:

H.R. 4649.

Congress has the power to enact this legislation pursuant to the following:

This bill N. is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 3 and 18 of the United States Constitution.

By Mr. BUCHANAN:

H.R. 4650.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution, Article I, Section 8, clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. McCAUL:

H.R. 4651.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. TAKAI:

H.R. 4652.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 7 of the United States Constitution

By Mr. TONKO:

H.R. 4653.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 Clause 18: The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 114: Mr. COFFMAN.

H.R. 223: Mr. GUTIÉRREZ.

H.R. 346: Mr. PASCRELL.

H.R. 578: Mr. WEBSTER of Florida and Mr. GIBSON.

H.R. 612: Mr. POE of Texas.

H.R. 662: Mr. ALLEN and Mr. RIGELL.

H.R. 670: Mr. LANCE and Mr. RUPPERSBERGER.

H.R. 799: Mr. HUIZENGA of Michigan.

H.R. 842: Mr. RUIZ.

H.R. 865: Mr. RUPPERSBERGER.

H.R. 915: Ms. TSONGAS.

H.R. 980: Mr. PALAZZO.

H.R. 1111: Ms. BROWN of Florida.

H.R. 1130: Mr. RODNEY DAVIS of Illinois.

H.R. 1147: Mr. JONES.

H.R. 1188: Mr. LARSON of Connecticut and Miss RICE of New York.

H.R. 1197: Ms. MCSALLY.

H.R. 1221: Mr. FATTAH.

H.R. 1431: Mr. GOHMERT.

H.R. 1432: Mr. GOHMERT.

H.R. 1439: Mr. SMITH of Washington.

H.R. 1516: Mr. BOUSTANY.

H.R. 1567: Mr. KLINE.

H.R. 1608: Mr. BOUSTANY.

H.R. 1623: Mr. ROHRABACHER.

H.R. 1651: Mr. GIBSON.

H.R. 1686: Mr. ASHFORD.

H.R. 1728: Mrs. DINGELL.

H.R. 1942: Mr. HANNA.

H.R. 2059: Mr. GOODLATTE.

H.R. 2102: Mr. ELLISON.

H.R. 2114: Ms. CLARKE of New York, Mr. RANGEL, and Ms. BASS.

H.R. 2170: Mr. VAN HOLLEN.

H.R. 2210: Mr. POSEY.

H.R. 2257: Mr. ZINKE and Mr. GIBSON.

H.R. 2293: Mr. CLAWSON of Florida, Mr. RIGELL, and Mr. BLUM.

H.R. 2404: Mr. CRAMER.

H.R. 2515: Mrs. BEATTY and Mrs. BROOKS of Indiana.

H.R. 2536: Mr. GUINTA and Ms. KUSTER.

H.R. 2646: Mr. RICE of South Carolina.

H.R. 2648: Mr. COOPER and Mr. CRAMER.

H.R. 2799: Mrs. BLACKBURN, Ms. JENKINS of Kansas, and Mr. WALDEN.

H.R. 2802: Mr. GRAVES of Missouri.

H.R. 2874: Mrs. BROOKS of Indiana.

H.R. 2896: Mr. RENACCI.

H.R. 2903: Mr. RANGEL.

H.R. 2939: Mr. GUTIÉRREZ, Ms. KAPTUR, Ms. DELAURO, and Mr. LANGEVIN.

H.R. 2972: Ms. DELBENE.

H.R. 3048: Mr. CARTER of Texas, Mr. LUETKEMEYER, Mr. RATCLIFFE, and Mr. POSEY.

H.R. 3061: Mr. SWALWELL of California

H.R. 3071: Ms. ESHOO and Mr. QUIGLEY.

H.R. 3177: Mr. WALDEN.

H.R. 3180: Mr. BYRNE.

H.R. 3235: Ms. LEE and Ms. BASS.

H.R. 3244: Mr. RYAN of Ohio.

H.R. 3294: Mr. RENACCI.

H.R. 3308: Mr. DEFazio, Mr. CROWLEY, Mr. RICHMOND, Mr. BISHOP of Georgia, Mr. QUIGLEY, Mr. LARSON of Connecticut, Ms. CLARK of Massachusetts, Mrs. DAVIS of California, and Mrs. LAWRENCE.

H.R. 3355: Mr. DOGGETT.

H.R. 3363: Mr. GARAMENDI.

H.R. 3381: Mr. LAMALFA and Mr. TAKANO.

H.R. 3406: Mr. BLUMENAUER.

H.R. 3463: Mrs. BLACKBURN.

H.R. 3471: Mr. BECERRA.

H.R. 3516: Mr. SHUSTER.

H.R. 3551: Mr. JEFFRIES, Mr. KING of New York, and Mr. VAN HOLLEN.

H.R. 3559: Ms. FRANKEL of Florida.

H.R. 3608: Mr. REED.

H.R. 3643: Mr. MULVANEY.

H.R. 3687: Mr. RIGELL.

H.R. 3706: Mr. DOGGETT, Mr. JOYCE, Ms. SPEIER, and Mrs. DAVIS of California.

H.R. 3710: Mr. GOODLATTE.

H.R. 3741: Mr. LOWENTHAL.

H.R. 3779: Mr. POLIQUIN and Mrs. WAGNER.

H.R. 3808: Mr. RATCLIFFE.

H.R. 3846: Mr. BYRNE, Mr. BLUM, Ms. KAPTUR, Ms. TSONGAS, and Mrs. BROOKS of Indiana.

H.R. 3852: Mr. GRIJALVA.

H.R. 3865: Mrs. BROOKS of Indiana.

H.R. 3880: Mr. YOUNG of Alaska.

H.R. 3956: Mr. LUETKEMEYER.

H.R. 3958: Mr. STIVERS.

H.R. 3964: Ms. ESHOO and Mr. DAVID SCOTT of Georgia.

H.R. 3970: Ms. FRANKEL of Florida and Mr. TAKAI.

H.R. 4007: Mr. SMITH of Texas.

H.R. 4016: Mr. LUETKEMEYER.

H.R. 4065: Mr. ROSS.

H.R. 4073: Mr. YOUNG of Iowa.

H.R. 4087: Mr. WESTMORELAND and Mr. GOODLATTE.

H.R. 4126: Mr. HILL and Mr. WALKER.

H.R. 4223: Mr. BLUMENAUER.

H.R. 4319: Mr. OLSON.

H.R. 4335: Mr. COLLINS of Georgia.

H.R. 4336: Mrs. BEATTY, Mr. GRIJALVA, Mr. ISRAEL, Mr. ROSS, Mr. SCHIFF, and Mr. CARNEY.

H.R. 4351: Mr. ASHFORD and Mr. DEUTCH.

H.R. 4362: Mr. LOUDERMILK.

H.R. 4371: Mr. ROUZER.

H.R. 4390: Ms. MOORE and Mr. GRIJALVA.

H.R. 4401: Ms. SINEMA.

H.R. 4433: Mr. GRIJALVA.

H.R. 4447: Mr. GUTIÉRREZ, Mr. BLUMENAUER, and Mr. NEAL.

H.R. 4463: Mr. ROKITA.

H.R. 4474: Mr. MOOLENAAR and Mr. AUSTIN SCOTT of Georgia.

H.R. 4488: Mr. RYAN of Ohio, Miss RICE of New York, Mr. SWALWELL of California, Mr. LOWENTHAL, Mrs. NAPOLITANO, Mr. ELLISON, Ms. BROWN of Florida, Mr. TAKANO, and Ms. SCHAKOWSKY.

H.R. 4497: Mr. GRIFFITH.

H.R. 4499: ROE of Tennessee and Mrs. BLACK.

H.R. 4508: Mr. PASCRELL.

H.R. 4519: Mr. COLE.

H.R. 4544: Mr. KELLY of Pennsylvania.

H.R. 4554: Ms. DUCKWORTH.

H.R. 4570: Mrs. WAGNER, Ms. LEE, and Mr. TAKANO.

H.R. 4597: Mr. JONES.

H.R. 4598: Mr. JONES.

H.R. 4612: Mr. KING of Iowa, Mr. HUIZENGA of Michigan, Mr. DUNCAN of Tennessee, and Mr. WALKER.

H.R. 4614: Mr. THORNBERRY.

H.R. 4622: Mr. THOMPSON of Mississippi and Mr. COSTA.

H.R. 4625: Mr. LOEBSACK, Mr. SIRES, Mr. ENGEL, and Mr. KING of New York.

H.R. 4639: Mr. CONNOLLY.

H.R. 4646: Ms. CLARK of Massachusetts, Mr. CUMMINGS, and Mr. SMITH of Washington.

H. Con. Res. 51: Mr. MCGOVERN.	H. Res. 62: Ms. SCHAKOWSKY, Ms. MOORE, Mr. GRAYSON, Mr. PRICE of North Carolina, Ms. KUSTER, Ms. KELLY of Illinois, and Mrs. NAPOLITANO.	H. Res. 487: Mr. POLIQUIN.
H. Con. Res. 89: Mrs. WAGNER and Mrs. BROOKS of Indiana.	H. Res. 112: Mr. LUTKEMEYER.	H. Res. 615: Mrs. HARTZLER.
H. Res. 28: Mr. LARSEN of Washington.		H. Res. 616: Ms. MOORE, Ms. KAPTUR, and Mr. SERRANO.